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THE

PEERAGE

OF

SCOTLAND:

CONTAINING AN

HISTORICAL AND GENEALOGICAL ACCOUNT

OF THE

Nobility of that Kingdom,

FROM

THEIR ORIGIN TO THE PRESENT GENERATION:

COLLECTED FROM

THE PUBLIC RECORDS, ANTIENT CHARTULARIES, THE CHARTERS AND OTHER WRITINGS OF THE NOBILITY, WORKS OF OUR BEST HISTORIANS, &c.

BY SIR ROBERT DOUGLAS OF GLENBERVIE, BART.

SECOND EDITION.

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REVISED AND CORRECTED, WITH A CONTINUATION TO THE PRESENT PERIOD,

BY JOHN PHILIP WOOD, ESQ.

With Engravings of the Arms of the Peers.

VOLUME SECOND.

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CONTENTS OF VOLUME SECOND.

Earl of Irvine - Page 1
Viscount of Irvine - - 1
Lord of the Isles - - 5
Earl of Kellie - - 16
Viscount of Kenmure - 23
Earl of Kilmarnock - 30
Viscount of Kilsyth - - 37
Viscount of Kingston - 39
Lord Kinnaird - 40
Earl of Kinnoul - - 44
Earl of Kintore, and Lord Falconer of Halkertoun - - 53
Lord Kirkcudbright - 58
Earl of Lauderdale - - 64
Earl of Lennox - - 80
Duke of Lennox (Stewart) - 90
Duke of Lennox (Lennox) - 104
Earl of Leven and Melville 110
Lord Lindores - - 120
Earl of Linlithgow - 122
Marquis of Lothian, Earl of Ancrum, and Lord Jedburgh - 130
Earl of Loudoun - - 144
Lord Lovat - - 155
Lord Lyle - - 162
Lord Macdonell and Arrass - 165
Earl of Dunbar and March - 166
Earl of Marchmont - - 173
Earl Marischal - - 184
Earl of Marr (Marr) - 198
Earl of Marr (Erskine) - 206
Earl of Melfort - - 220
Viscount of Melgum - 222
Earl of Menteth (Menteth) 223
Earl of Menteth (Graham) - 227
Lord Methven - 229
Earl of Middleton - 230
Duke of Montrose - 233
Lord Monypenny - Page 247
Earl of Moray (Randolph) 249
Earl of Moray (Dunbar) - 252
Earl of Moray (Stewart) - 254
Earl of Moray (Stewart) - 255
Lord Mordingtoun - 263
Earl of Morton - - 264
Lord Nairn - - 279
Lord Napier - - 281
Lord Newark - - 304
Earl of Newburgh - 308
Viscount of Newhaven - 310
Earl of Nithsdale - 311
Earl of Northesk - 322
Lord Ochiltree (Stewart) 326
Lord Ochiltree (Stewart) - 329
Lord Oliphant - - 330
Earl of Orkney (Sinclair) - 336
Duke of Orkney - 340
Earl of Orkney (Stewart) - 340
Earl of Orkney (Hamilton) - 342
Earl of Ormond - 344
Marquis of Ormond - 345
Viscount of Oxfurd - 345
Lord of Panmure - 348
Earl of Panmure - 349
Earl of Perth - - 357
Lord Forbes of Pitsligo - 367
Lord Pittenweem - - 370
Earl of Portmore - 371
Viscount of Preston - 374
Marquis of Queensberry - 376
Lord Reay - - 389
Lord Rollo - - 396
Earl of Rosebery - - 401
Earl of Ross - . 410
Duke of Ross . . 416
Lord Ross - - 417

Earl of Rothes - Page 424
Duke of Rothsay - - 436
Duke of Roxburghe - 439
Earl of Ruglen - - 457
Lord Rutherford - 458
Lord Ruthven - - 463
Lord Saint Colme - 466
Lord Abernethy of Salton - 466
Lord Salton - - 471
Earl of Seafield - - 478
Earl of Seaforth - - 479
Earl of Selkirk - - 487
Lord Sempill - - 492
Lord Sinclair - - 498
Lord Somerville - 504
Earl of Southesk - 512
Lord Spynie - - 517
Earl of Stair - - 519
Earl of Stirling - - 535
Viscount of Stormont - 539
Viscount of Strathallan and Lord Maderty - - 550
Earl of Strathern - 556
Earl of Strathern (Stewart) 559
Earl of Strathmore and Kinghorn 561
Earl of Sutherland - 570
Earl of Tarras - 588
Earl of Teviot - - 589
Viscount of Teviot (Spencer) 589
Viscount of Teviot (Livingston) 589
Lord Torphichen - 590
Earl of Traquair - 597
Earl of Tullibardine - 601
Marquis of Tweeddale - 602
Earl of Wemyss and March - 615
Earl of Wigton - - 628
Earl of Wintoun - Page 638
Lord of Yester - - 649

SUPPLEMENT.

Lord Borthwick - - 651

APPENDIX.

No. 1. Creations of the Peers of Scotland, arranged in chronological order - - 660
No. 2. Decreet of ranking of the Nobility of Scotland, 5th March 1606 694
No. 3. List of the Peers who sat and voted in the last session of the last Parliament of Scotland - 695
No. 4. Authentic list of the Peerage of the North part of Great Britain called Scotland, 1st May 1707 696
No. 5. Roll or List of the Peers of Scotland, certified to the Lords Spiritual and Temporal in Parliament assembled, by the Lords of Session, 27th February 1740 - 697
No. 6. Roll of the Peers of Scotland called at Elections - 701
No. 7. List of the Peers of Scotland at the period of the general election, 13th November 1812 - 702
No. 8. Statutes relating to the election of representative Peers of Scotland, - - - 703
No. 9. Forms relating to the election of representative Peers of Scotland 710
No. 10. Proceedings relative to the Peerage Bill, 1719 - 71
Additions and Corrections - 71

THE

PEERAGE

OF

SCOTLAND.

CAMPBELL, EARL OF IRVINE.

THE Hon. JAMES CAMPBELL, only son of Archibald, seventh Earl of Argyll, by his second wife, Anne, daughter of Sir William Cornwallis, was, when very young, created a peer, by the title of Baron of Kintyre, to himself and his heirs male and assigns, by royal charter, dated 12th February 1626. He had a charter of the barony of Lundie, in Forfarshire, 12th December 1636; went into the military service of Louis XIII. of France; in his wars with the Spaniards, had the command of a regiment, and acquitted himself with so much honour and reputation, that, on his return to his native country, King Charles I. was pleased to advance him to the dignity of Earl of Irving, and Lord of Lundie, by patent, dated at York, 28th March 1642, to him and the heirs male of his body. The district of Kintyre was settled on him by his father; he sold it to his brother, the Marquis of Argyll, and died in France, before the restoration, without issue, whereby his titles of Earl of Irvine and Lord of Lundie became extinct.

Irvine.

Scotstarvet, 6.

INGRAM, VISCOUNT OF IRVINE.

THE founder of this noble family was

I. HUGH INGRAM, a wealthy citizen, and merchant, in London, who died 1612, leaving a large fortune to his two sons, by his wife Anne Galthorp. They were,

1. Sir *William* Ingram, LL.D., secretary to the council of the north, who died 24th July 1623, leaving issue.

2. *Arthur*.

II. ARTHUR INGRAM, the second son, made extensive purchases in Yorkshire, particularly the manor of Temple Newsom, on the river Aire, two miles below Leeds,

Thoresby's Ducatus Leodensis.

Irvine. from the Duke of Lennox, that manor having been granted by King Henry VIII. to Matthew, fourth Earl of Lennox, 1544. He served the office of high sheriff of Yorkshire, in the 18th of King James I.; and was representative in parliament for the city of York. He married, first, Susan, daughter of Richard Brown of London, and had issue,

1. Sir *Arthur*.

2. *John* Ingram, who died without issue. He married, first, Anne, daughter and heiress of William Calverley of Eccleshill; secondly, Dorothy, daughter of Thomas, Viscount Fairfax. She died 1687.

Daughter, ——, married to Sir Simon Bennet, baronet.

He married, secondly, Alice Ferrers, daughter of a citizen of London, by whom he had a son,

Sir *Thomas* Ingram of Sherriff Hutton, chancellor of the duchy of Lancaster, a privy-councillor to King Charles II., who married the Hon. Frances Belasyse, daughter of Viscount Fauconberg, and had a daughter, Mary.

He married, thirdly, Mary, daughter of Sir Edward Grevile of Milcote, in Warwickshire, by whom he had a son,

Lionel, who died young.

Thoresby. III. Sir ARTHUR INGRAM of Temple Newsom, the eldest son, served the office of sheriff of the county of York, in the 6th of King Charles I.; and died 4th July 1655. He married, first, Elisabeth, daughter of Sir Henry Slingsby of Redhouse, baronet, and had issue,

1. *Thomas*, who married Mary, daughter of Watkinson Payler, without surviving issue.

2. *Henry*.

3. *Arthur* Ingram of Barrowby: He was alive 1712. He married Jane, daughter of Sir John Mallory of Studley-royal. She died August 1693. They had a son, Thomas, who died 19th February 1703. He married Frances, daughter of John Nicolson of York, M. D.; and by her, who married, secondly, John Wood, Esq. had Arthur, who died May 1708; Thomas and Frances.

1. *Elisabeth*, married to Robert, Lord Rich, afterwards Earl of Warwick and Holland, without surviving issue.

2. *Anne*, married to Henry, fourth son of Sir Thomas Stapleton of Wighill. He married, secondly, Catherine, daughter of Thomas, Viscount Fairfax of Emely, relict of Robert Stapleton, Esq. and Sir Matthew Boynton, baronet; and by her, who afterwards married William Wickham, Esq. had a daughter, Irvine.

Catherine, married to Sir Charles Nevile of Amber, near Lincoln, knight.

IV. HENRY INGRAM of Temple Newsom, the eldest surviving son, baptised at Stratford-le-bow, 20th June 1616; was created a peer of Scotland, by the title of Viscount of Irvine, and Lord Ingram, by patent, dated 23d May 1661, with limitation to the heirs male of his body; and died in August 1666. Lysons. Mag. Sig. L. ix. No. 12.

His Lordship married Lady Essex Montagu, daughter of Edward, *Earl of* Manchester, by whom he had issue,

1. *Edward*, second Viscount of Irvine.

2. *Arthur*, third Viscount of Irvine.

V. EDWARD, second Vicount of IRVINE, succeeded his father 1666; and died 16th September 1688, in his 26th year. He married Elisabeth, daughter of Bennet, Lord Sherard; and by her, who took to her second husband the Hon. John Noel, had an only daughter, Thoresby.

Catherine, who died 6th November 1688, in her 2d year.

V. ARTHUR, third Viscount of IRVINE, succeeded his brother, 1688; was chosen Member of Parliament for the county of York, 1701; and died 21st June 1702. He married Isabel, eldest daughter of John Machel of Hills, in Sussex, M. P. for Horsham, and by her had issue, Ibid.

1. *Edward Machel*, fourth Viscount of Irvine.

2. *Richard*, fifth Viscount of Irvine.

3. *Arthur*, sixth Viscount of Irvine.

4. *Henry*, seventh Viscount of Irvine.

5. Hon. *John* Ingram, born April 1693; died unmarried.

6. *George*, eighth Viscount of Irvine.

7. Hon. *Charles* Ingram.

8. Hon. *Thomas* Ingram, born 9th February 1697; died in May 1698, unmarried.

Irvine.

9. Hon. *William* Ingram, born July 1701, a merchant in Holland.

Thoresby.

VI. EDWARD MACHEL, fourth Viscount of IRVINE, born 26th December 1686, succeeded his father 1702; was lord-lieutenant of the East-Riding of Yorkshire; and died of the small-pox, at London, on the 18th of May 1714, in the 28th year of his age. Of him Thoresby said, "whose "excellent genius and noble qualifications "surpass what my dull pen dare pretend "to express." His next brother,

VI. RICHARD, fifth Viscount of IRVINE, born 6th January 1688, was, in 1715, appointed governor of Hull, and colonel of the life-guards; he had the command of the first regiment of dragoon-guards conferred on him, 13th December 1717; was appointed governor of Barbadoes, 1720; but died early in 1721, as he was preparing for his departure for that island, æta. 34; and was buried in the Ormond vault, in King Henry VII.'s Chapel, in Westminster Abbey. He married Lady Anne Howard, third daughter of Charles, third Earl of Carlisle; but by her, who married, secondly, in 1737, Colonel James Douglas, had no issue *. His next brother,

VI. ARTHUR, sixth Viscount of IRVINE, born 21st December 1689; was elected Member of Parliament for Horsham, 1715; succeeded to the title 1721; and voted, at the keenly contested election, for a representative peer of Scotland, 5th March 1721, when his vote was objected to, as he was a member of the House of Commons, and the Viscountess Dowager was understood to be pregnant. He obtained an act of parliament, in 1725, to enable Arthur, Viscount of Irvine, to raise money, by mortgages, or sale of certain estates, in the counties of York, Lincoln, Oxford, and city of London, for payment of debts, legacies, and portions charged thereupon, and to settle the estate, therein mentioned, on Henry Ingram, his next brother and heir. He was constituted lord-lieutenant and custos rotulorum of the East Riding of Yorkshire, 1728; and died, without issue, 30th May 1736, in the 47th year of his age. His brother,

Irvine.

VI. HENRY, seventh Viscount of IRVINE, born 14th May 1691; was elected Member of Parliament for Horsham, at the general election, 1722, 1727, and 1734. A new writ was issued, 1727, on his being appointed commissary-general of stores at Gibraltar, and he was re-elected; another, in 1735, on his being appointed commissary of stores and provisions at Minorca, and he was re-elected; a third, in 1736, on his becoming a peer. He obtained, in 1756, an act to enable Henry, Viscount of Irvine, George Ingram, his brother, and Charles Ingram, his nephew, to settle part of the said Viscount of Irvine's estates, upon the marriage of the said Charles Ingram, and for other purposes therein mentioned. He was constituted lord-lieutenant of the East-Riding of Yorkshire, 1736; and died, without issue, 4th April, 1761, in the 70th year of his age. His brother,

VI. GEORGE, eighth Viscount of IRVINE, born 19th November 1694, was bred to the church; appointed chaplain to the House of Commons; installed canon of Windsor, and prebendary of Westminster; succeeded to the title, 1761; and died, without issue, 14th April 1763, in the 69th year of his age, being succeeded by his nephew, Charles Ingram, son of his next brother.

VI. The Hon. CHARLES INGRAM, who was born 8th April 1696. He had a company in the third regiment of foot-guards, 1737; was appointed adjutant-general of

* In Park's Walpole, V. 155, is a portrait of Anne Howard, Viscountess Irwin. This ingenious lady's printed productions are, A Character of the Princess Elisabeth, published September 1759; An Ode on King George III. 1761; An Answer to some Verses of Lady Mary Wortley Montague, printed in the supplement to Pope's Works; A Poetical Essay on Mr Pope's Characters of Women. For this last her ladyship was thus noticed in Duncombe's Feminead:

By generous views, one peeress more demands
A grateful tribute from all female hands;
One, who to shield them from the worst of foes,
In their just cause dar'd Pope himself oppose.
Their own dark forms, deceit and envy wear,
By Irwin touch'd with truth's celestial spear.

Irvine.

the forces in April 1743; elected Member of Parliament for Horsham, in room of his uncle, 1736; rechosen at the general election, 1741 and 1747; and died, 28th November 1748, in the 43d year of his age, leaving a son,

VII. CHARLES, ninth Viscount of IRVINE, who was elected Member of Parliament for Horsham, in room of his father, 1748; rechosen at the general election 1754 and 1761; was appointed one of the grooms of the bedchamber to George, Prince of Wales 1756; and continued in that office after his accession to the throne. He resigned it, 1763, on succeeding to the title, when a new writ was issued for Horsham. His Lordship was chosen one of the sixteen representatives of the Scotish peerage, at the general election 1768, and rechosen 1774; and died at Temple Newsom, on the 27th of June 1778, without male issue, whereby the title became extinct, after it had been possessed by nine individuals, in the period of 117 years, making the small average of 13 years to each.

His Lordship married, in 1756, Miss Shepherd, a lady possessed of a very great fortune. She died at Temple Newsom, 20th November 1807, in the 74th year of her age, much regretted. Her charities were as extensive as her rank was elevated; and by her death the poor of the surrounding villages lost a munificent benefactress. They had five daughters,

1. Hon. *Isabella Anne* Ingram Shepherd, married, 19th May 1776, to Francis Seymour Conway, Marquis of Hertford, K. G. The King was pleased to grant to them, 18th December 1807, his royal licence and authority, that they might, in compliance with an injunction contained in the last will and testament of her father Charles, Viscount of Irvine, bearing date, 16th June 1777, take and use the sirname of Ingram, before their present sirnames of Seymour and Conway, and also write the sirname of Ingram before all titles of honour, and that the said Marquis also bear the arms of Ingram, quarterly, with those of Seymour and Conway. They have issue.

Irvine.

2. Hon. *Frances* Ingram Shepherd, married, 6th March 1781, to Lord William Gordon, second son of Cosmo George, third Duke of Gordon, without issue.

2. Hon. *Elisabeth* Ingram Shepherd, married, 2d August 1782, to Hugo Meynell, younger of Bradley, in the county of Derby, who died 17th May 1800, æta. 41, leaving issue.

4. Hon. *Harriet* Ingram Shepherd, married, 16th September 1789, to Colonel *Henry* Harvey Aston, and had issue. Going out with his regiment to the East Indies, he was, at the Cape of Good Hope, called out two days successively, for having said that two of his officers had behaved illiberally towards an inferior officer who had complained of their conduct. On the 23d of December 1798, he was, by the second challenger (Major Allen,) shot through the body on the first fire, but did not fall, nor was it perceived that he was wounded. He then, after having with the utmost composure deliberately levelled his pistol, with a steady aim, to shew that it was in his power to return the fire, nobly withdrew it leisurely across his breast, declared he was wounded, and, as he believed, mortally, and therefore should not return the fire; for that it should not be said of him, that the last act of his life was an act of revenge. He died in a day or two afterwards.

5. Hon. *Louisa Susan* Ingram Shepherd, married, at London, 5th June 1787, to Sir John Ramsden of Byrom, in the county of York, baronet.

ARMS.—Ermine, on a fess, gules, three escallops, Or.

CREST.—A cock, proper.

SUPPORTERS.—Dexter, a griffin, proper; sinister, an antelope, proper, horned, maned, tufted, and unguled, Or, gorged with a ducal coronet, gules.

MOTTO.—*Magnanimus esto.*

MACDONALD, LORD OF THE ISLES.

Isles.

THIS very antient Norwegian race, long independent of the Scotish Kings, is derived from

Crawf. Peer. 230.

Stat. Acc. X. 528.

I. SOMERLED, Thane of Argyll, who acquired the Western Islands, by his marriage with Effrica, or Rachel, daughter of Olavus the Swarthy, King of Man, and grand-daughter of Harald Harfager, King of Denmark. He assumed the designation of King of the Isles. He gave one of his daughters in marriage to Wimund, the pretended Earl of Moray, (who invaded Scotland in 1141, and being afterwards taken, had his eyes put out.) On the death of King David I., Somerled, accompanied by the children of Wimund, landed with a great force in Scotland, 5th November 1153, in order to revenge the wrongs done to his son-in-law. The predatory incursions of Somerled distressed the kingdom, and spread consternation among the inhabitants. Disdaining submission, he continued to infest the coasts of Scotland; but at length, in 1157, he agreed to terms of accommodation with King Malcolm IV. However, in 1164, he again invaded Scotland with a mighty force, landing at Renfrew. The inhabitants of the country repulsed his army with great slaughter. Somerled, and his son, Gillecolane, were slain. It is said he had four sons,

Chr. Ann. I. 99, 113, 115, 121.

1. *Gillecolane*, killed with his father *.
2. *Reginald.*
3. *Angus.*
4. *Olaus.* The two last in the Chronicle of Man are designed sons of Somerled.

II. REGINALD, son and successor of Somerled, was designed King of Man and the Isles. Reginald, King of Man, was received under the protection of John, King of England, 8th February 1205. John granted a safe conduct to Reginald, King of the Isles, cognato nostro, to come into England, 8th February 1206. Reginald, King of the Isles, became liegeman to King John, against all mortals, and took the oath of fidelity, 16th May 1212. A safe conduct was granted to the King of the Isles, 16th January 1218, to come into England to do homage to King Henry III., and to repair the excesses committed against Henry's subjects, both in England and in Ireland. He founded the Abbey of Sadale, or Sandale, in Kintyre, for monks of the Cistertian order. A charter was granted to the Bishop of Lismore, 1st January 1507, confirming two evidents made by Reginald, (the son of Somerled, qui se Regem Insularum nominavit,) Lord of Ergyle and of Kintyre, founder of the monastery of Sagadull, of the lands of Glensagadull, and twelve marks of the lands of Ballebeain, in the lordship of Kintyre, and of twenty marks of the lands of Cosken, in Arran, to the said abbey. He made very ample donations to the monastery of Paisley, that he, and Fonia his wife, might be entitled to all the privileges of brotherhood in the convent. He had, it is presumed, three sons,

Fœdera, I. 137, 140, 159, 224.

Isles.

Mag. Sig. L. xiv. No. 405.

Chart. Paisley.

Chart. Levenax, 182. D.

1. *Olavus*, or Olaus, King of Man and the Isles. A safe conduct was granted to Olavus, King of Man and the Isles, to come into England, 12th April 1228.

Fœdera, I. 303.

2. *Dovenald.*

3. *Roderick*, to whom his father gave the lands of Kintyre. The before-mentioned charter to the Bishop of Lismore, in 1507, confirms an evident made by Roderick, son of the said Reginald, Lord of Argyll and Kintyre, to the monastery of Sadale, of the lands of Glentersadull and Ugladull, in the lordship of Kintyre. Alang, filius Rotherici, his son, was one of the Scotish nobles who, in 1284, bound themselves to acknowledge Margaret of Norway for their sovereign, in the event of the demise of King Alexander III. A charter of the lands of Kintail was granted to Reginald, son of Roderic de Insulis, by William, Earl of Ross, confirmed 4th July

Ib. II. 226.

Robertson's Index, 100.

* In the first edition the eldest son is called Dulgal, and is stated to be progenitor of the Macdougals. Crawford, in his Peerage, does not mention him; and it may be asked how, if he was the eldest son, he did not inherit the isles?

Isles.

1342. Reginald, son of Roderic de Insulis, had a charter from King David II. of the islands of Ywest, Barre, Egghe, Roumme, and the lands of Mudeworth, Mordhower, Arcsayg, and Cundeworth, 12th June 1344.

Crawf. Peer. 230.

III. DOVENALD, or Donald, the second son, appears to have inherited the Isles, and imitated the liberality of his father to the church, particularly to the monks of Paisley, to whom he gave ample testimonies of his charity and good will, on this condition, that ille, uxor sua, heredes sui, et homines sui, participes sint in perpetuum, omnium bonorum quæ in domo de Paslet, et in toto ordine Cluniascensi fient, tam in orationibus, quam in ceteris divinis servitiis. He is therein designed Dovenaldus, filius Reginaldi, filius Somerledi; and he had two sons,

Chartul. of Levenax, 185. D.

1. *Angus.*

2. *Alexander* *, said to be ancestor of the Macalisters of Loup, and Alexanders of Menstrie, Earls of Stirling.

IV. ANGUS, the eldest son, was the first of his race who acknowledged himself a subject of the Kings of Scotland. He made a donation to the convent of Paisley, of half a mark of silver de domo suo proprio, et de singulis domibus per omnes terras suas de quibus fumum exit unum denarium, singulis annis in perpetuum, in puram elemosynam. Moreover, he gave to the same monastery the patronage of the church of Kilkerran, in Kintyre, pro salute animæ *Domini sui* Alexandri Regis Scoticæ illustris, et Alexandri, filii ejus, etiam pro salute sua propria et heredum suorum. Anegus, filius Dovenaldi, was one of the

Crawf. Peer. 230.

Chartul. Levenax, 186, 187. D.

Fœdera, II. 266, 541.

* Probably the same Alexander de Ergadia, one of the Scotish nobles who became bound to receive Margaret of Norway as their sovereign, in the event of the demise of King Alexander III. 1284. Fœdera, II. 266. According to Barbour, III. 1. Alexander of Argyll married a daughter of Red John Cumyn, and was father of John of Lorn. Among the missing charters of King Robert I., is one to Alexander, younger, lord of the Isles, of the lands of Ulks and Tyriagis, with the Isle of Mull and other lands. Robertson's Index, 26. King David II., in 1344, granted a charter to Alexander Macnauctane, of all the lands quæ fuerunt quondam Joannis, filii Duncani, filii Alexandri de Yle. Rec. Parl. 89.

Scotish nobles who, in 1284, became bound to support the title of Margaret of Norway to the throne of Scotland, in the event of the demise of King Alexander III. A letter was addressed, in 1292, to Anegous, the son of Dovenald of the Isles, and Alexander, his eldest son, respecting their comporting themselves well and faithfully towards the King of England. Angus died soon afterwards, leaving three sons,

Isles.

1. *Alexander.*

2. *Donald,* designed Donald de Isle, filius Angusii, in Rymer's Fœdera [qu. ?] said to be ancestor of the Robertsons of Struan.

3. *John,* of whom the clan Ean, in Ardnamurchan, is said to be sprung.

V. ALEXANDER, Lord of the ISLES, the eldest son, is designed Alexander de Insulis Scotiæ, filius Angusii, filius Dovenaldi, in a letter directed to him for keeping the peace within his bounds of the Isles, till the meeting of the parliament of Scotland on the day of St Thomas the Martyr, 1292. He is also designed in the same manner in a confirmation of the donation of the church of Kilkerran to the monastery of Paisley, to which Robert, Earl of Carrick, and Robert Bruce, his son and heir, were witnesses. He died 1303, leaving a son,

Fœdera, II. 541.

Chartul. of Levenax, 190. D.

Crawf. Peer. 231.

VI. ANGUS, *Lord of the* ISLES, who, after King Robert Bruce was defeated by the English, hospitably received his Majesty into his castle of Dunavarty, in August 1306. He fought under the standard of Robert at the battle of Bannockburn, 1314, when the men of the isles were under the command of "Syr Anguss of Ile "and But." Angus de Lyle had charters from that monarch of Kinbaldein, Ardnamurchan, Lochabre, Unrowris, and Glenogweris. Angus of the Isles had a charter from King David II. of the isle of Ila, Kintyre, the isle of Gythy, the isle of Dewre, the isle of Colquynsay, and the twenty-four mark land of Moror, near the lands of Mule. He had a daughter called Fyngole, as appears from a papal dispensation, permitting John Stewart, and Fyngole, filia nobilis viri Angusii de Insulis, to marry, notwithstanding their being

Dair. Ann. II. 9.

Barbour, XI. 106.

Robertson's Index, 2, 41.

A. Stuart, 433.

Isles.

within the fourth degree of consanguinity, dated 19 kal. Februarii 1342; and a son,

VII. JOHN, Lord of the ISLES, who succeeded him, and is designed John, Lord of the Isles, son of Angus, in a grant of two marks of land, called Lefenmarg, he made to the monastery of Sadale. In the minority of David II., the extent of his territory, and its remoteness, enabled him to remain in a state of dubious allegiance. Baliol, by mighty offers of advantage, won him over, in 1335, to acknowledge himself the vassal of Scotland. A contract, in form of indenture, was executed, 12th December 1335, between Baliol and the Lord of the Isles. By it Baliol, as far as in him lay, yielded to John, Lord of the Isles, his heirs and assigns, the islands of Mull, Sky, Ila, and Gigha, the lands of Kintyre and Knapdale, with other islands and territories; and also the wardship of the heir of the Earl of Atholl, at that time a child of three years old. On account of which concessions, the Lord of the Isles bound himself, and his heirs, to be the liegemen of Baliol, and his heirs, and to aid them, at all times, to the utmost, against all their enemies. Thus did Baliol, in order to secure the fidelity of the Lord of the Isles, increase his power and influence, and extend it even unto Atholl, the centre of Scotland. John of the Isles was received into the protection of the English King, 3d December 1337, and a safe conduct granted for his coming into England to treat with Edward III.

The Lord of the Isles appears to have submitted to David II., on his return home from France; as he obtained from David a charter, dated at Air, 12th June 1344, reciting, quod super finali concordia inter nos et Johannem de Yle, consanguineum nostrum carissimum, habito prius diligenti tractatu communique utilitate regni nostri, ac tranquillitate ejusdem previsis, granting and confirming to the said John, pro homagio et servitio suo, the island called Yle, the islands of Geday, Jura, Colinsey, Tiryad, Colla, and Lewes, with all the small islands to them belonging, the lands of Morimare, Louchabre, Durdomon, and Glenchomyr, and the keeping of the King's castles of Kernoborgh, Iseleborgh, and Dunchonall, with the lands and small islands thereto belonging, to be held by the said John, and his heirs, in fee and heritage. Edward III. issued a commission to Walter de Bermingham, Justiciary of Ireland, to treat with John de Insulis, to come into the King's peace, 3d November 1346. In the treaty entered into at Newcastle, 13th July 1354, the Steward of Scotland, the Lord of Douglas, Thomas de Murref, and Johan des Yles, were the principal persons named for its observance.

John, Lord of the Isles, in 1354, entered into an indenture with John of Lorn, Lord of Argyll, by which John of Lorn gave up to John of the Isles, all claim to all the lands and castles following, of which John of the Isles had obtained charters from King David II. or his father King Robert I., namely, the castles of Kerneburch and Hystylburch, with all their islands and rights, the whole island of Mule, the castle of Duncouill, with all its pertinents and islands in the superior part of Duray, the island of Tereyd, &c. Edward III. issued another commission for treating with John of the Isles, 31st March 1356; and in the treaty for the liberation of King David II., 3d October 1357, an inviolable truce, for ten years, betwixt England and Scotland, was agreed on, in which truce were to be included Edward Baliol and John of the Isles, and all other allies and adherents of the King of England.

John of the Isles obtained a confirmation of all donations and concessions made by whosoever to him of whatsoever lands, tenements, annualrents, and possessions, 4th July 1362; and John of Yle, Lord of the Isles, signed an instrument at Inverness, 15th November 1369, by which, in consideration of the pardon of his former transgressions, granted by King David II., he became bound to make satisfaction for all injuries or damages done by him to the King's subjects, to give obedience to the laws himself, and to oblige his sons, and his vassals, and all the inhabitants of his estates, to do the same, and to answer readily to the King's officers for all taxes and contributions imposed or to be imposed. For fulfilling the premises, he engaged to deliver, as hostages, within the castle of

Isles.

Mag. Sig. L. xiv. No. 405. Dalr. Ann. II. 105.

Fœdera, IV. 711.

Ib. IV. 831.

Rec. Parl. 88.

Fœdera, V. 530, 793.

Dalr. Ann. III. 381.

Fœdera, V. 849.

Robertson's Index, 107.

Ib. 74, 108.

Isles. Dunbarton, his son, by a daughter of the Steward of Scotland, named Donald; a grandson, named Angus, being the son of his deceased son, John; together with a natural son of his own, named Donald. And further, the Earl of Strathern, Steward of Scotland, became surety for him, and appended his seal to the instrument, along with the seal of the said John, Lord of the Isles.

King Robert II., his father-in-law, now ascending the throne of Scotland, granted
Reg. Mag. Sig. 90. a charter, dated at Scone in the time of the parliament held there, 9th March 1371-2, to our beloved son, John del Yle, all the lands of 300 marks, which were of the deceased Alan, the son of Roderick, within his kingdom, namely, the lands of Modoworth, Arrassag, Morecvyr, Knodeworte, Oviste, Barrech, Rume, Eggeth, and Heryce. He also granted three charters, 6th June 1376, to our beloved son, John del Yle, of the island of Colowsay, and lands of Lochaber, on John's resignation, and of the King's lands of Kintyr and half of Knapdale, to be held by the said John, and Margaret, our beloved daughter, his wife. He died in 1387-8.

He married Margaret, fourth daughter of King Robert II., by whom he had a son,

Donald;—and two daughters,

1. *Elisabeth*, married to William, Earl of Sutherland.

2. *Margaret*, married to Lachlan Maclean of Dowart.

John, Lord of the Isles, had several other sons,

1. *John*, who was dead before 15th November 1369, when his father gave as a hostage Angus, the son of his deceased son John. From him descended the Marquis of Antrim, in Ireland, the Macdonalds of Dunveg, Glens, Largie, and Sana.

2. *Reginald*, whose filiation is proved by
Ib. 117. a charter of King Robert II., dated at Arnele, 1st January 1372-3, confirming the grant which our beloved son, John de Yle, made to Reginald de Yle, his son, of the lands of Madewort, with the castle of Elantirym, the lands of Arassayk, Morowore, Cnudeforde, the islands of Egge, Rume, Huwyste, with the castle of Vynvawle, the islands of Barre and Here, with all the small islands pertaining to the said islands; part of the lands of Swynwort, Lettirlochetle, Ardegowar, Hawlaste, Lochabre, Loche, Kylmald, and Locharkage, extending to 420 marks of land, to be held by Reginald, and the heirs male of his body legitimately to be procreated, of the said John de Yle and his heirs. From Reginald descended the Macdonalds of Moydart, Clanronald, Glengary, Moror, and other branches. Isles.

3. *Alexander*, ancestor of the Macdo- Chartul. of
nalds of Keppoch, designed third son of Moray, 222. D.
the Lords of the Isles, 1402. He may have been son of Margaret, daughter of King Robert II.

4. *Godfridus*, who, in a treaty with the Fœdera, VII.
King of England, 1388, is designed filius D.
Johannis del Yle. This seems a mistake. Godfridus was one of the envoys sent from England to John, Lord of the Isles.

5. *John*.

VIII. DONALD, Lord of the Isles, suc- Ibid.
ceeded his father, and entered into a treaty with King Richard II., on the independent footing of a Sovereign Prince, in 1388, when his father John is said to be lately deceased. He gave off parts of his lands Cartæ in Pub.
to the Macintoshes, Mackenzies, Mackin- Arch. D.
nons, and Macleans, holding of himself, by military tenure, which greatly increased his power. In particular, he granted three Mag. Sig.
charters, 12th July 1390, to Lachlan Mac- L. xiii. No. 226.
gillean of Doward. Donald de Insulis, Fœdera, VIII.
and John, his brother, had letters of safe 146, 418, 527.
conduct to come into England, with 100 horse, to treat with King Henry IV., 2d June 1400; and the same monarch, 16th September 1405, issued a commission for treating with Donald de Insulis, Chevalier, and John, his brother, concerning final peace, alliance, and friendship, between his Majesty and them; again, 8th May 1408.

Donald, Lord of the Isles, having mar- Suth. Add.
ried Lady Margaret Lesly, only daughter Case, v. 29.
of Euphemia, Countess of Ross, by Sir Walter Lesly, in her right Earl of Ross; and her brother, Alexander, Earl of Ross, leaving an only child, Euphemia, Countess of Ross, who, expressing her intention to assume the veil, Donald, as next heir to her in right of his wife, asserted her title to the earldom, and, in some measure, took possession, for the continuator of Fordun observes, that he held the castle of Ding-

Isles.

Pinkerton, I. 91.

wall in right of his wife. He raised an army of 10,000 men of the Hebudes and of Ross, and advanced as far as Marr, in a desolating inroad, intending to sack Aberdeen, and to ravage the country down to the Tay. To stop his destructive career, Alexander, Earl of Marr, hastily collected a body of troops, and met the invader at Harlaw, ten miles from Aberdeen, 24th July 1411. Marr's army was inferior in number, and the battle was obstinate and fierce, but indecisive. On the side of Donald, the chiefs of Macintosh and Maclean fell, with about 900, and Marr lost 500 men, among them some of rank. The Lord of the Isles was so much weakened, that he was forced to retire; and the Regent Duke of Albany marched to the castle of Dingwall, which he took. Next year, 1412, Albany set on foot three armies to invade the territories of Donald, who was obliged to abandon his pretensions to the earldom of Ross, to make a personal submission, and to give oaths and hostages for indemnification and future observance of peace.

Fœdera, IX. 93, 264, 399, 401.

Donald, Lord of the Isles, is enumerated among the allies of Henry V. in treaties 1414, 1415, and 1416, and he died before 1427. By Lady Margaret Lesly, his wife, he had a son,

Alexander;—and a daughter,

Lord Hailes's MS. Notes.

Mariot. Her brother, Alexander, in 1429, gave the lands of Duchall to her and her husband, Alexander Sutherland, as appears from the grant of the same in the possession of Sinclair of Roslin.

IX. ALEXANDER, Lord of the ISLES, succeeded his father, and was, with his mother Lady Margaret, who assumed the title of Countess of Ross, arrested by King James I. when he held a parliament at Inverness, in spring 1427, that monarch wishing to humble him, as his predecessors had asserted an independency dangerous to Scotland, and had treated with the English Kings as sovereign princes. The Lord of the Isles was soon released*; but his mother was detained in prison, probably as an hostage for her son, who, however, in 1429, raised a body of men, and burnt the town of Inverness; the King overtook him in Lochaber, and totally defeated the invader, 23d June 1429. Reduced to despair, the Lord of the Isles sent an embassy to entreat peace, which being refused, he resolved to throw himself on the King's mercy. For this purpose he came privately to Edinburgh, and on the 27th of August 1429, attired only in his shirt and drawers, he, before the high altar of Holyrood church, upon his knees, presented his drawn sword to the King, in presence of the Queen and nobles. His life was spared, in consideration of his humble submission; but he was committed to Tamtallan castle, under the charge of the Earl of Angus; and his mother, the Countess of Ross, was sent to the island of Inchcolm, in the Frith of Forth. She appears to have died the same year, when her son assumed the title of Earl of Ross, as Alexander de Isle, Comes Rossiæ, on the 24th of October 1429, granted a precept to Alexander Sutherland of Dunbeath. A free pardon was granted to the Earl of Ross, in a parliament held at Perth, 1431. After the death of James I. he had the office of Justiciary of Scotland benorth the Forth, as, in a charter in the possession of Innes of Innes, dated 22d February 1438, the Earl of Ross is called Justiciarius Scotiæ ex parte boreali aquæ de Forth. He granted a charter of the lands of Kilravock to John Ross, 22d June 1440; and died in the end of 1448, or beginning of 1449. By his wife, Elisabeth, only daughter of Alexander Seton, Lord of Gordon and Huntly, he had issue,

Isles.

Pinkerton, I. 123.

Suth. Add. Case, v. 30.

Lord Hailes's MS. Notes.

1. *John*, eleventh Earl of Ross.
2. *Hugh*.
3. *Celestine*, who had a charter, Celestino de Insulis de Lochalchen, brother of John, Earl of Ross and Lord of the Isles, and the heirs betwixt him and Fynvola, daughter of Lachlan Macgillean of Dowart, from the Earl of Ross, cum consensu et matura deliberatione totius concilii sui, dated 2d February 1462-3, of Lochbyrne, Lochalch, Lochcarryn, Torvir, Tayne, and Keschernis, in the earldom of Ross. He had another charter, 10th January 1463-4, of the lands of Fernacostrath, &c. in the

Suth. Add. Case, v. 30.

Mag. Sig. L. vi. No. 114.

* Alexander de Yle, Lord of the Isles, gave the island of *Barra* to Gillcownan Rodrici Murchardi Makneill, by charter, dated 23d June 1427. Mag. Sig. L. xiii. No. 152.

Isles.

earldom of Sutherland; and a third of twenty marks of land, in the lordship of Slete, in the lordship of the Isles, dated 8th November 1463, from the said Earl of Ross, Celestino, fratri suo *carnali*, witnessed by John de Insulis, son and heir of Donald de Insulis, Lord of Dunnowaye and of Glynis, Joanne Alexandri de Insulis, and Angusio Alexandri de Insulis. These three charters were confirmed by one under the great seal, 21st August 1464. Celestine had a son, Donald, who died without issue, and three daughters, of whom the eldest, Margaret, married Alexander Macdonell of Glengary; and from them descended Lord Macdonell and Aros.

1. Lady *Margaret*, married to John, eighth Earl of Sutherland, and had issue.

2. Lady *Florence*, married to Duncan Macintosh of Macintosh.

Fœdera, XI. 254, 397, 434.

X. JOHN, eleventh Earl of Ross, and Lord of the ISLES, succeeded his father: was one of the guarantees of a truce with England, 1449, 1451, 1457, and 1459, and one of the wardens of the marches 1457. He entered into a confederacy with the Earls of Douglas and Crawford, 1451, the power of which was superior to the royal authority; but did not engage in the rebellion of the Douglasses 1454. After the death of James II. he entered into a negotiation with King Edward IV. in 1462. A treaty was concluded, 8th February that year, betwixt Edward and John, Earl of Ross, by which it was agreed, that the Earl of Ross, Donald Balagh, and John de Yle, son and heir apparent of the said Donald, and all their subjects, men, people, and inhabitants of the earldom of Ross and the Isles, should become liegemen of Edward IV., do homage, and remain for ever subjects of the Kings of England, and assist them against all their enemies. Edward agreed to give the Earl, during life, a yearly pension of 100 marks sterling in time of peace, and of L. 200 sterling in time of war; and if Scotland was vanquished in consequence of that alliance, that part to the north of Forth should be bestowed on the Earl; and in case of a final peace betwixt the two kingdoms, England should not agree with Scotland without getting the Earl and his associates comprehended in it. This agreement was not discovered till 1474, when a treaty being concluded with England, without comprehending the Earl, and containing a clause, that the respective Kings should renounce all former engagements made against each other, this convention was brought to light. A summons of treason was executed at the castle of Dingwall, 16th October 1475, against John, Earl of Ross and Lord of the Isles, for communing with the King's enemies of England, for leagues and bands made with King Edward for communing made with Sir James of Douglas, some time Earl of Douglas, for help, counsel, favour, and supply given to the same, and leagues and bands made with him against the King, for giving of safe conducts to his Majesty's enemies of England, for usurpation of the King's authority in making his bastard son a lieutenant to him, for convocation of the lieges, besieging the castle of Rothsay, in Bute, and wasting and destroying the lands in Bute. He was forfeited, in absence, in parliament, 1st December 1475; a force was collected to execute the sentence of confiscation of his possessions; but the Earl made his submission, and was rehabilitated in parliament, 10th July 1476. That day he surrendered to the King the earldom of Ross, the lands of Knapdale and Kintyre, with their pertinents, and the offices of sheriffship of Inverness and Nairn, to remain with the crown for ever. The King ratified to Elisabeth, Countess of Ross, the grants of lands within the earldom of Ross, made by his Majesty to her, and created John de Isla, Lord of the Isles, a baron banrent, and lord of parliament; and, on the same day, the earldom of Ross was unalienably annexed to the crown by act of parliament, with power, nevertheless, to the King and his successors, to bestow the same on a second son of the royal family.

Pinkerton, I. 217, 249.

Rec. Parl. 195, 199.

A charter passed the great seal, 15th July 1476, rescinding the forfeiture of the Earl of Ross, in parliament, creating him a lord of parliament, and granting to him Morvarne, Garmorveane, the lordship of Lochaber, Durwan, and Glentoill, in the county of Inverness; Kinnedward, in Aberdeenshire; Grenan, in Carrick; and all

Mag. Sig. L. vii. No. 310.

Isles.

the lands he possessed before his forfeiture, excepting the earldom of Ross, the lordship of Kintyre, and the offices of sheriffship of Inverness and Nairn, "which we re-"serve in memory of his offence and trans-"gressions," to him and the heirs male of his body; which failing, to Angus de Ile, his natural son, and John de Ile, also his natural son. John, Lord of the Isles, had another charter of the same, 16th December 1478, to himself and the heirs male of his body; which failing, to Angus de Ila, his natural son, and the heirs male of his body; which failing, to the legitimate heirs of John, Lord of the Isles; this indicates that John, his other natural son, was then dead. John de Ila, Lord of the Isles, granted a charter, 22d December 1478, of the barony of Kynnedward, to Alexander Lesly of Wardes; and he had a charter, 11th August 1481, of Killewnane, and other lands, in Kintyre, and Knapdale, to him for life.

He now appears to have renewed his treasonable practices with England, as on the 22d of July 1481, King Edward IV. issued a commission for treating with our dearest cousin, the Lord of the Isles, and Earl of Ross, and with his cousins and counsellors, and Donald Gorne, for their assistance. These treasonable practices being discovered, the Lord of the Isles was again outlawed and forfeited, as appears from several charters under the great seal, in 1498, granting to the Macleans of Dowart, and Lochbuy, the Macleods of Harris, the Macranalds and Macallans, their lands which formerly held of the Lords of the Isles, and were then in the King's hands by his forfeiture. John, Lord of the Isles, died 1498.

Fœdera, XII. 140.

Mag. Sig. L. xiij.

He married Elisabeth, eldest daughter of James, Lord Livingston, great chamberlain of Scotland. She had charters to Elisabeth, Countess of Ross, wife of John, formerly Earl of Ross, for her life, of Greman, in Ayrshire; Kynneward, in Aberdeenshire; Rew and Ewyl, in the earldom of Ross, 8th February 1475-6; to Elisabeth de Levyngston, wife of John, formerly Earl of Ross, of certain annualrents for the honourable sustentation of her person, 14th December 1476; of Polquhois, Garreffes, and Garclaithie, in Ayrshire,

L. vii. No. 339, 359. L. xii. No. 158.

29th October 1490; and she occurs in the records of parliament, 1494. By her the Earl of Ross had no issue. His natural son, Angus, married Lady Mary Campbell, fifth daughter of Colin, first Earl of Argyll, but does not appear to have had any issue by her. In the parliament, 5th March 1503, it was found that Lauchlan M'Clane of Dowart had committed treason, in the treasonable maintaining, fortifying, and supplying of Donald, bastard, and unlawfull son of umquhile Anguss of the Yles, bastard sone to umquhile John of the Ilis, in the causing of the said Donald to usurp our sovereign lord's authority royal to that effect, that the said Donald should be Lord of the Ylis, usurping upon our sovereign lord's authority, and for the causation of our sovereign lord's lieges to obey to the said Donald as Lord of Ylis, which is our sovereign lord's property, usurping our sovereign lord's authority thereby.

Isles.

Rec. Parl. 496.

X. HUGH, *second son of* ALEXANDER, Earl of Ross, had a charter Hugoni Alexandri de Insulis, Domino de Slete, fratri Joannis de Yle, Comitis Rossiæ, et heredibus suis masculis inter ipsum Hugonem et Fynvolam, Alexandri Joannis de Ardnamurchan, legitime seu illegitime procreatis seu procreandis, ac ipsorum legitimis heredibus, quibus omnibus deficientibus heredibus suis masculis post mortem præfatæ Fynvolæ, inter ipsum Hugonem, et quamcunque aliam mulierem de concilio dicti Comitis, viz. Donaldi de Insulis Domini Dunnowaig et de Glynnis, Celestini de Insulis de Lochalche, Lachlani Macgilleoni de Doward, et Alexandri Joannis de Ardnamurchan, quibus deficientibus tunc de concilio ipsorum heredum vel ipsius deficientis heredis, electam super cartam sibi factam per dictum Joannem de Yle, Comitem Rossiæ et Dominum Insularum, de data 28 Junii 1449, testibus Donaldo de Insulis, Domino de Dunnowaig, et de Glynnis, Celestino de Insulis de Lochalche, fratre dicti Comitis, Lachlano Macgilleon, Domino de Doward, Joanne Macgilleon de Lochboyg, Lachlano juvente Macgilleon, Magistro de Doward, Willielmo Macloyd de Glennelg, Roderico Macleod de Leoghys, Alexandro Joannis de Ardnamurchan,

Mag. Sig. L. xiii. No. 150.

Isles. Joanne Lachlani Macgilleon de Colla, et Thoma de Moro, secretario dicti Comitis ac rectore de Kilmanawik, terris triginta mercarum de Skerehowg, duodecim merc. de Benbeaila, denariatam de Gergremyniss ex parte boreale de Wist, duab. den. de Scolpie, quatuor den. de Gremynes, duab. den. de Talawmartin, sex den. de Oroinsaig, dim. den. de Wanylis, et dim. den. de insula Gillegerve, una cum terris viginti octo mercarum de Slete, jacen. in dominio Insularum, tenend. de dicto Joanne de Yle, confirmed under the great seal, 10th November 1495. He died 1498.

By his first wife, Fynvola, daughter of Alexander, the son of John of Ardnamurchan, he had a son,

Mag. Sig. L. xiii. No. 297, 298. *John*, who is instructed by two charters, the one to Reniald Makallian, of lands in Ewyst, and of some lands which belonged to Hugh of the Isles, held by him of John, Lord of the Isles, on the resignation of John Huchounson of Sleit, son and heir of the said deceased Hugh, dated 5th August 1498; and the other to Angus Rewathson Makranald, of the lands of Arassaik, Keppath, &c. on resignation of the same. He died without issue, 1502.

Crawf. Peer. 234. Hugh of the Isles married, secondly, Mary, daughter of the chief of the clan Gun, in Sutherland, and by her had a son,

Ibid. XI. Donald of the Isles, also called Huchounson, or the son of Hugh. He died, 1506, leaving, by his wife, daughter of Macdonald of Ireland, a son,

Ibid. XII. Donald of the Isles, who died 1534, leaving, by his wife, Margaret, daughter of Macdonald of Moydart, two sons,

1. *Donald.*

2. *James*, ancestor of the Macdonalds of Kingsborough; an account of his descendants is contained in Douglas's Baronage, 391.

Ibid. XIII. Donald, the eldest son, on the death of Donald the bastard, stiling himself Lord of the Isles, claimed that lordship, as lawful heir male of John, Earl of Ross; but King James V., thinking the suppression of that title, and the dissolution of the vassalage thereof, the proper means of effectuating the civilization of the Highlands, refused to grant possession. Donald, resolving to assert his right by force of arms, raised a considerable body of men, and laid siege to the castle of Elendounan, where his Majesty had placed a garrison. He was shot dead with an arrow from the castle, 1537, leaving, by Margaret, his wife, daughter of Roderick Macleod of the Lewis, a son, Isles.

XIV. Donald of the Isles, commonly called Donald Gorme Macdonald of Slate. He was, by Queen Mary, restored to the lands of Slate, forfeited by his father; and took her Majesty's part in the civil war, 1567. He died in 1585, leaving, by Mary, his wife, daughter of Hector Maclean of Dowart, three sons, Crawf. Peer. 234.

1. *Donald*, a man of parts and letters, particularly favoured by King James VI., at whose command he contributed much towards suppressing the insolencies of the Macleods of Lewis, and other disorderly Highlanders, and brought them to a higher state of loyalty and civilization than they had been accustomed to. He married Mary, sister of Kenneth, first Lord Kintail; but dying, without issue, in December 1616, his estate devolved on his nephew. Ibid.

2. *Archibald.*

3. *Alexander.*

XV. Archibald Macdonald, the second son, married Margaret, daughter of Angus Macdonald of Dunivaig and Glynnis, in Argyllshire, ancestor of the Marquis of Antrim, and by her had a son, Ibid.

XVI. Donald Macdonald of Slate, who, under the designation of Donald Gorme de Slait, was served heir to Donald Gorme de Slait, his uncle, in the lands of Slait, Northwist, Skerdhoug, Beambeculla, Gergremynis, Skelpick, Gremynis, Tallowmartane, Orwnsag, Wainlies, and Ile Gilligerrie, in the lordship of the Isles, 6th May 1617. He had his education at the University of Oxford, and stood high in the favour of King Charles I., who created him a baronet of Nova Scotia, by patent, Inq. Ret. vi. 191. Crawf. Peer. 234.

Isles. bearing date 14th July 1625, containing this clause, that he and his heirs male and assigns should have precedency before Sir William Douglas of Glenbervy, Sir Alexander Strachan of Thorntoun, and Sir David Livingstone of Dunipace, by virtue of which he became the next baronet to Sir Robert Gordon of Gordonstoun, and the second of that order in the kingdom of Scotland. When the civil wars commenced in 1639, Charles I. thought the assistance of Sir Donald Macdonald of so much consequence, that he wrote him a letter, dated 11th June that year, from his camp near Berwick, promising him the lands of Punard, Ardnamurchan, and Strathardill, the islands of Roume, Muck, and Cannay, which were to accrue to him by the forfeiture of the Earl of Argyll, Sir Dugald Campbell, and Mackinnon, seeing that Sir Donald at this time stood out for the good of his Majesty's service, and was resolved to undergo the hazard of his person and estate for the same; all which he promises, on the word of a king, to ratify to Sir Donald and his heirs, in any manner they shall think proper, provided that he use his best endeavours in his service at this time, according to his Majesty's commission. He made some discoveries of the secret designs of the covenanters, of much importance to the King; but died in October 1643, at a time when he expected considerable succours from the Marquis of Antrim. He married Janet, second daughter of Kenneth, first Lord Mackenzie of Kintail, sister of the first and second Earls of Seaforth, by whom he had issue,

Archdall, VII. 115.

1. Sir *James.*

2. *Donald* Macleod of Castletown, famous for his loyalty in the civil wars.

3. *Archibald.*

4. *Angus.*

5. *Alexander.*

1. *Margaret*, married to Æneas, Lord Macdonnel and Arrass.

2. *Catherine*, married to Kenneth Mackenzie of Gareloch, without issue.

3. *Janet*, married to Donald Macdonald of Moidart, Captain of Clanronald, and had issue.

4. *Mary*, married to Sir Ewen Cameron of Lochiel, without issue.

XVII. Sir James Macdonald of Slate, the eldest son, was served heir to his father, 20th February 1644; joined the Marquis of Montrose, 1645; and sent some of his men to the assistance of Charles II. when he marched into England, 1651. After the ruin of the royal cause, Sir James retired to the Isle of Sky, where he lived with great circumspection. Lord Broghill, in a letter to Secretary Thurlow, mentions that he had conversed with Sir James Macdonald, a man of very great abilities, of great interest among his people, and of good intelligence abroad. On the restoration he was fined to a large amount, at the instigation of the Earl of Middleton, who got a grant of his fine. Some lawless Highlanders having committed outrages in the north, in 1663, and murdered Alexander Macdonald of Keppoch, the privy-council sent a commission of fire and sword to Sir James Macdonald, who routed them completely, and transmitted some of their heads to Edinburgh. The privy-council sent him a letter of thanks, dated 15th December 1665, for that service, which contributed much to the civilization of the Highlands; and Sir James died 8th December 1678. He married, first, Margaret, only daughter of Sir Roderick Mackenzie of Tarbet, by whom he had issue,

Isles. Inq. Ret. xviii. 17.

Archdall, VII. 116.

Dougl. Bar. 22.

1. Sir *Donald.*

2. *Roderick* Macdonald, who married Janet Richie, and had two sons, James, and Donald, both born 10th June 1679.

3. *Hugh* Macdonald of Glenmore.

4. *Sorlie* Macdonald of Sortle.

Crawf. Peer. 235. Edin. Reg.

1. *Catherine*, married to Sir Norman Macleod of Bernera, and had issue.

2. *Florence*, married to John Macleod of Macleod, and had issue.

He married, secondly, Mary, eldest daughter of John Macleod of Macleod, and by her had a son,

John Macdonald of Backney.

XVIII. Sir Donald Macdonald of Slate, the eldest son, died 5th February 1695. He married at Perth, 24th July 1662, Lady Mary Douglas, second daughter of Robert, third Earl of Morton, and by her had issue,

Lamont's Annals, MS. See Fountainhall, I. 374.

1. Sir *Donald*, who succeeded his father,

Isles. engaged in the rebellion, 1715; was attainted, by act of parliament, and died
1 Geo. I. c. 43. 1718. He married Mary, daughter of Donald Macdonald of Castletoun, by whom he had a son, Sir Donald Macdonald, who died, unmarried, in 1720, and four daughters: 1. Mary, died unmarried; 2. Margaret, married to Captain John Macqueen; 3. Isabel, married, 3d January 1725, to Alexander Monro, M. D. the very able Professor of Anatomy in the University of Edinburgh, and died 10th December 1774, leaving a daughter, Margaret, married to James Philp of Greenlaw, Judge of the High Court of Admiralty of Scotland, without issue, and three sons, John Monro of Auchinbowie, Donald Monro, M. D. and Alexander Monro, M. D. the no less able successor of his father, in the chair of Anatomical Professor in the University of Edinburgh; 4. Janet, married to Norman Macleod of Macleod, and had issue.

2. Sir *James*.

3. *Alexander*, tutor of Macdonald, who married, and had issue.

1. *Elisabeth*, married to Sir Alexander Bannerman of Elsick, baronet, and had issue.

2. *Barbara*, married to Coll Macdonald of Keppoch.

Edin. Reg. 3. *Mary*, born 19th March 1676; died unmarried.

XIX. Sir James Macdonald, designed of Oransay, succeeded his nephew 1720; and died at Forres in 1723. He married, first, Mary, or Janet, daughter of Alexander Macleod of Grishernish, and had issue,

1. Sir *Alexander*.

2. *John*, died young.

1. *Margaret*, married to Sir Robert Douglas of Glenbervie, baronet, the author of the first edition of this work, and had issue. Her only surviving son, Sir Alexander Douglas, baronet, now enjoys the title.

2. *Isabel*, died unmarried.

3. *Janet*, married to Sir Alexander Mackenzie of Coul, baronet, and had issue. Her only surviving son, Sir Alexander Mackenzie of Coul, was father of Sir George Stewart Mackenzie, now of Coul, baronet.

He married, secondly, Margaret, daughter of John Macdonald of Castletoun, by whom he had a son, Isles.

John, who died young.

XX. Sir Alexander Macdonald of Slate, baronet, the only surviving son, succeeded his father 1723; was almost the only person of consideration in the Western Isles who did not join the Pretender's standard, in 1745; was of course in favour with the Duke of Cumberland, who honoured him with his correspondence and friendly assurances of regard. He died suddenly at Bernera, on his way to London, to wait on his Royal Highness, in November 1746, in the 36th year of his age.

He married, first, 5th April 1733, Anne, daughter of David Erskine of Dun, in the county of Forfar, a Lord of Session and Justiciary, relict of James, Lord Ogilvy, son of David, third Earl of Airly; and by her, who died at Edinburgh, 27th November 1735, in her 27th year, had one son,

Donald, born 10th January 1734, who died young.

He married, secondly, 24th April 1739, Lady Margaret Montgomery, ninth daughter of Alexander, ninth Earl of Eglintoun; and by her, who died in Welbeck Street, London, 30th March 1799, had three sons,

1. Sir *James* Macdonald.

2. Sir *Alexander* Macdonald.

3. The Right Hon. Sir *Archibald* Macdonald, a posthumous son, born 1747; was called to the English bar, appointed one of the King's counsel learned in the law, constituted a Welsh judge in 1780; solicitor-general, 7th April 1784; attorney-general, 28th June 1788, and knighted. He was elected Member of Parliament for Hindon, on a vacancy, in 1777; for Newcastle-under-Lyne, at the general election 1780; rechosen 1784 and 1790. Being constituted Lord Chief Baron of the Court of Exchequer, a new writ was ordered, 12th February 1793. His Lordship is a privy-councillor; and married, 26th December 1777, Lady Louisa Leveson Gower, eldest daughter of Granville, first Marquis of Stafford, and had seven children: 1. Caroline Margaret, born 22d December 1778;

Isles.

died young. 2. Susan, born 27th February 1780; died at Lisbon in March 1803. 3. Louisa, born 22d August 1781. 4. James Macdonald of Langvale, born 14th February 1784; elected Member of Parliament for Kirkwall; and, on a vacancy 1805, chosen for Newcastle-under-Lyne, at the general election, 1806; and rechosen 1807. He married, 5th September 1805, Elisabeth, second daughter of John Sparrow of Bishton, in the county of Stafford. 5. Francis, a captain in the royal navy, born 22d May 1785; died in the West Indies, 28th June 1804. 6. Caroline Diana, born 7th July 1790.

XXI. Sir James Macdonald of Macdonald, baronet, the eldest surviving son, justly accounted one of the most estimable characters in modern times, of whom a contemporary said, "He was one of the "most extraordinary young men I ever "knew. He studied very hard; was a "scholar and a mathematician; and yet, "at twenty, I have heard him talk with a "knowledge of the world, which one "would not have expected to hear but "from the experience of age. He had "great and noble schemes for the civiliza- "tion and improvement of his own coun- "try, and appeared, upon the whole, to "be one of those superior spirits which "seemed formed to shew how far the "powers of humanity can extend." He accompanied the Duke of Buccleuch and Adam Smith, in their travels to the continent, 1765; and died at Rome, in July 1766, in the 25th year of his age, unmarried, regretted both by his countrymen and by foreigners, who contended with each other who should pay the greatest marks of respect to his merit and his virtues. The Pope (Clement XIII.) sent to inquire for him every day during his long illness; and allowed him the most magnificent public funeral that a protestant had ever been honoured with. A monument, executed at Rome, was erected in the church of Sleat, with this inscription, by his friend, George, Lord Lyttelton. "To the memory of Sir James Mac- "donald, baronet, who, in the flower of "youth, had attained to so eminent a de- "gree of knowledge in mathematics, phi- "losophy, languages, and in every other "branch of useful and polite learning, as "few have acquired in a long life wholly "devoted to study; yet, to his erudition, "he joined what can rarely be found with "it, great talents for business, great pro- "priety of behaviour, and great politeness "of manners. His eloquence was sweet, "correct, and flowing; his memory vast "and exact; his judgment strong and "acute; all which endowments, united "with the most amiable temper, and every "private virtue, procured him not only in "his own country, but also from foreign "nations, the highest marks of esteem. In "the year of our Lord 1766, the 25th of "his life, after a long and painful illness, "which he supported with admirable pru- "dence and fortitude, he died at Rome, "where, notwithstanding the difference of "religion, such extraordinary honours "were paid to his memory, as had never "graced that of any other British subject "since the days of Sir Philip Sydney. The "fame he left behind him is the best con- "solation to his afflicted family and to his "countrymen in the isle, for whose "benefit he had planned many useful "improvements, which his fruitful genius "suggested, and his active spirit pro- "moted, under the sober direction of a "clear and enlightened understanding." —Thus far the inscription on the monument, erected by his mother, in testimony of her love, and as the best return to her departed son for the constant tenderness and affection he shewed for her.

Carter's Memoirs, II. 168.

Isles.

XXI. Sir Alexander Macdonald of Macdonald, baronet, succeeded his brother, 1766, being then an officer in the Coldstream regiment of foot-guards, in which he had an ensign's commission in May 1761. He was created a peer of Ireland, by the title of Baron Macdonald of Slate, by patent, dated 17th July 1766, to him and the heirs male of his body; and died 12th September 1795. His Lordship married, 3d May 1768, Elisabeth Diana, eldest daughter of Godfrey Bosville, of Gunthwaite, in the county of York, by his wife, Diana, eldest daughter of Sir William Wentworth of Bretton, in the same

Isles. county, baronet; and by her, who died 18th October 1789, had issue,

1. Hon. *Diana* Macdonald, born 28th September 1769; married, 5th March 1788, to the Right Hon. Sir John Sinclair of Ulbster, in the county of Caithness, baronet, M. P. a privy-councillor, and President of the Board of Agriculture, and has issue.

2. *Alexander Wentworth*, second Lord Macdonald.

3. Hon. *Godfrey* Macdonald, born 14th October 1775, captain of a company in the first regiment of foot-guards, with the rank of lieutenant-colonel in the army. He served under Sir Eyre Coote, in the 23d or Welsh fuzileers, in the expedition to Ostend; was wounded in Holland, in the campaign 1799, under the Duke of York; served in the West Indies, with the 35th regiment of foot; and commanded the 24th regiment at the reduction of the Cape of Good Hope. He married Miss Louisa Maria Edsir, and by her had eight children: 1. Alexander. 2. William, died young. 3. Louisa. 4. Elisabeth. 5. Julia. 6. Susan. 7. Godfrey. 8. James.

4. Hon. *Archibald* Macdonald, born 21st May 1777; was captain of a troop in the 10th, or Prince of Wales's own regiment of light dragoons. He married, at Edinburgh, 29th October 1802, Jane, eldest daughter of Duncan Campbell of Ardneave, in the county of Argyll, and has five children: 1. Archibald, born 17th August 1803. 2. Mary, born 18th September 1806. 3. Campbell, born 16th June 1808. 4. Elisabeth Diana, born 25th October 1809. 5. A son, born 27th January 1811.

5. Hon. *James* Macdonald, born 29th January 1783; a lieutenant in the first regiment of foot-guards, who served in the Mediterranean in 1807-8; in Spain under the lamented Sir John Moore; and in the expedition to the Scheldt, 1809. Isles.

6. Hon. *Dudley Stewart* Macdonald, born 14th February 1786, a fellow-commoner of Trinity-College, Cambridge.

XXII. Alexander Wentworth, second Lord Macdonald, born 9th December 1773; was an officer in the 10th or Prince of Wales's own regiment of light dragoons, but soon quitted the army, and proceeded on his travels to foreign parts. He succeeded his father 1795; was chosen Member of Parliament for Saltash, at the general election, 1796; and rechosen in 1802.

Arms.—Quarterly; 1st, *Argent*, a lion, rampant, gules. 2d, Or, a hand in armour, holding a cross crosslet fitchee, gules. 3d, Or, a row galley, or lymphad, the sails furled up, sable. 4th, Vert, a salmon naiant, in fess, proper.

Crest.—A hand in armour, holding a cross crosslet, fitchee, gules.

Supporters.—Two tigers, tenne, collared, Or, armed and langued, gules.

Motto.—*Per mare, per terras.*

Chief Seats.—Armidale and Mugstot, in the Isle of Sky.

ERSKINE, EARL OF KELLIE.

Kellie. I. The Hon. Sir Alexander Erskine of Gogar, fourth son of John, fourth Lord Erskine, and brother of John, Earl of Marr, Regent of Scotland, was born about the year 1521, his portrait being inscribed ætatis suæ 67, 1588. He had a charter to Alexander Erskine of Cangnoir, second son of the deceased John, Lord Erskine, of the lands of Arnprior, Cowden, &c. in Perthshire, from Kellie. Mag. Sig. L. xxxi. No. 273.

Pinkerton, Icon. Scot.

Kellie. Crawf. Peer. 236.

John, Commendator of Inchmahomo, 8th July 1555. On the death of his brother, the Regent, in 1572, he was entrusted with the custody of King James VI., and the keeping of the castle of Stirling, where his Majesty resided; and he executed that important charge with honour and integrity. When the Earl of Marr seized on the castle of Stirling, in April 1578, he turned his uncle out of that fortress, and became master of the King's person. Sir Alexander Erskine was, the same year, constituted governor of the castle of Edinburgh, sworn a privy-councillor, and was appointed vice-chamberlain of Scotland in 1580. Sir James Melvill characterises him as "a gallant well-natured gentleman, "loved and honoured by all men for his "good qualities and great discretion, no "way factious or envious, a lover of all "honest men, and desired ever to see men "of good conversation about the prince, "rather than his own friends, if he found "them not so meet." He married, first, Margaret, only daughter of George, fourth Lord Home, they had a charter of the house and inclosure of Restenueth, in Forfarshire, confirmed 24th November 1586, by whom he had issue,

Mag. Sig. L. xxxvi. No. 342.

1. *Alexander*, a youth of great hopes, who died 20th April 1578, of grief, as it was thought, for the indignity he conceived done to his father, in depriving him of the government of the castle of Stirling.

Spottiswoode, 284.

2. Sir *Thomas*.

3. Sir *George* Erskine of Innerteil, appointed one of the Lords of Session, 15th March 1617, and sat on the bench till his death in 1646. He had two daughters, Anne, married to John, third Lord Melvill of Raith; and Margaret, married, first, to Sir John Mackenzie of Tarbat, and was mother of the first Earl of Cromarty; secondly, to Sir James Foulis of Colinton, a Lord of Session. She and George, Lord Melvill, the son of the eldest daughter, were served heirs of Sir George Erskine, 26th April 1648.

Hailes's Catal.

Inq. Ret. xix. 294, 295.

1. *Margaret*, married to James Crichton of Ruthven, and had issue.

2. *Jean*, married to John Lesly of Balquhain, and was mother of Walter, the first Count Lesly of Germany.

3. *Mary*, married to Sir Dugald Campbell of Auchinbreck, and had issue.

Kellie.

Sir Alexander Erskine married, secondly, Magdalen, daughter of Alexander, fifth Lord Livingston. She had a charter of the lands of Ferrieton, in the county of Clackmannan, to Magdalen Livingston, relict of the deceased Alexander Erskine of Gogar, brother of the Earl of Marr; confirmed 10th December 1584.

Mag. Sig. L. xxxvi. No. 2.

II. Sir THOMAS ERSKINE of Gogar, the eldest surviving son, born in 1566, the same year with King James VI.; was educated with his Majesty from his childhood, and came thereby to have a great share of the royal favour. The King bestowed on him many marks of his special esteem, and appointed him one of the gentlemen of his bedchamber, 1585. He had charters of Mitchellis, Eastertoun, and Westertoun, in the county of Kincardine, 17th October 1594; of Windingtoun and Windingtounhall, 1st June 1598, and of Easterrow, in Perthshire, 15th January 1598-9. He had the good fortune to be one of the happy instruments in the rescue of the King from the treasonable attempt of the Earl of Gowrie, and his brother Alexander Ruthven, at Perth, 5th August 1600, having with his own hand killed the latter. For this signal service he had the third part of the lordship of Dirleton, belonging to Gowrie, conferred on him, by charter, dated 15th November 1600; and, in warrandice thereof, the King's barony of Corntoun, in Stirlingshire. In that charter he is designed eldest lawful son of the deceased Alexander Erskine, Master of Marr. He accompanied the Duke of Lennox in his embassy to France in July 1601.

Crawf. Peer. 236.

Mag. Sig. L. xl. No. 212. L. xli. No. 274, 509. L. xlii. No. 219.

Spottiswoode, 467.

Attending King James VI. into England, in 1603, he was, the same year, constituted captain of the yeomen of the guard, in room of Sir Walter Raleigh, and held that command till 1632. He was created Viscount of Fentoun, being the first raised to that degree of nobility in Scotland, by patent, dated 18th May 1606, to him and the heirs male of his body; which failing, to his heirs male whatsoever. He had charters of Rycroft, which belonged to the friars preachers of Stirling, 27th June 1606; of a third part of Dirletoun, Haly-

Mag. Sig. L. xliv. No. 230, 344. L. xlvi. No. 195.

Kellie.

burton, and Lambden, united into the barony of Fentounbarns, 15th November 1610; of the barony of Kellie, 18th July 1613; of the lands which belonged to the priory of Restennoth, united into the barony of Restennoth, 10th March 1614; of the lordship of Pittenweem, 6th July 1615; of the lands of Elbotle, Kingstoun, &c. 6th August 1616; and of the barony of Fentountour and Dirletoun, united into the lordship of Fentoun, 9th July 1618. He was advanced to the dignity of Earl of Kellie, to him and his heirs male, bearing the name of Erskine, by patent, dated 12th March 1619; had charters of Rycroft, 16th July 1622, and of the barony of Restennoth, 13th May 1624; was invested with the order of the Garter; and dying at London, 12th June 1639, in the 73d year of his age, was buried at Pittenweem.

Mag. Sig. L. xlvii. No. 142, 237, 478. L. xlviii. No. 172. L. xlix. No. 79, 122. L. l. No. 110, 290.

His Lordship married, first, Anne, daughter of Gilbert Ogilvy of Pourie, and had a son,

Alexander, Viscount of Fentoun;—and a daughter,

Lady *Anne*, married to Sir Robert Mowbray of Barnbougle, in the county of Linlithgow, knight.

His Lordship married, secondly, in 1604, the rich widow of Sir Edward Norreys, third son of Henry, first Lord Norreys of Rycote; thirdly, another rich widow, daughter of Humphry Smith of Cheapside, relict of Benedict Barnham, alderman of London, of Sir John Packington of Westwood, in the county of Worcester, who died 1625, and of Robert, first Viscount of Kilmorey; but had no issue by either.

Lodge, III. 222. Collins's Baronetage, II. 197.

III. ALEXANDER, Viscount of FENTOUN, the only son, had a charter, to "Alexander, Master of Fentoun," and Lady Anne Seton, his wife, of the lands of Fentountour, Over Sydserf, &c. 6th June 1610. He had another charter, to "Alexander, "Viscount of Fentoun," of the barony of Kellie, 30th July 1631; and he died in February 1633, in the lifetime of his father. He married Lady Anne Seton, eldest daughter of Alexander, first Earl of Dunfermline, high chancellor of Scotland, and by her had issue,

Mag. Sig. L. xlvi. No. 219. L. liii. No. 235.

Inq. Ret. xiii. 159.

1. *Thomas*, second Earl of Kellie.
2. *Alexander*, third Earl of Kellie.
3. Hon. Sir *Charles* Erskine of Cambo.
4. Hon. *George* Erskine, who died at Pittenweem, 31st December 1656.

Kellie. Lamont's Annals, MS.

1. Hon. *Mary* Erskine, married to Gavin, Earl of Carnwath, without issue.
2. Hon. *Sophia* Erskine, married, 5th August 1663, to Alexander, Master of Saltoun, without issue.
3. Hon. *Margaret* Erskine, married to *William*, eleventh *Lord Forbes*, without issue.

IV. THOMAS, second Earl of KELLIE, the eldest son, was served heir of his father, Alexander, Viscount of Fentoun, 19th March 1634; succeeded his grandfather, as Earl of Kellie, in June 1639; took a decided part on the King's side, against the covenanters, 1642; and died, unmarried, on the 3d of February 1643.

Inq. Ret. xiii. 159.

Ib. xvii. 58.

IV. ALEXANDER, third Earl of KELLIE, was served heir to his brother, 18th April 1643; was a steady royalist, and colonel of foot for the counties of Fife and Kinross, in the "engagement" to attempt the rescue of King Charles I. in 1648. He waited on Charles II., in Holland, from whence he returned with the commissioners, sent by the parliament of Scotland to that monarch, on the 12th of June 1649. He accompanied Charles on his expedition into England; was taken at the battle of Worcester, 1651, and sent to the Tower of London; from whence it appears he was allowed to go to the continent. He was excepted out of Cromwell's act of grace and pardon, 1654; but having obtained permission to come to Scotland, for six months, he arrived there from Holland, 6th August 1657. He died in May 1677.

Ibid.

Lamont's Annals, MS.

His Lordship married, first, Mary, daughter of Colonel Kirkpatrick, governor of the Bush, in Holland, (they landed at Pittenweem, 20th August 1661,) and by her had one daughter,

Ibid.

Lady *Anne*, married to her cousin, Sir Alexander Erskine of Cambo, baronet, lord lyon king-at-arms.

His Lordship married, secondly, Mary, daughter of Sir John Dalzell of Glenae, in the county of Dumfries, (they came to Kellie, 22d July 1665,) and by her had a son,

Ibid.

Alexander, fourth Earl of Kellie;—and a daughter,

Lady *Elisabeth*, married to Alexander Fraser of Inneralachie, and died there, 11th December 1744.

Inq. Ret. xlviii. 249.

V. ALEXANDER, fourth Earl of KELLIE, the only son, succeeded his father 1677; was served heir of him, 26th October 1699; and died 8th March 1710. His Lordship married Lady Anne Lindsay, eldest daughter of Colin, third Earl of Balcarras; and by her, who married, secondly, James, third Viscount of Kingstoun, and died at Edinburgh, 4th February 1743, had a son,

Alexander, fifth Earl of Kellie;—and a daughter,

Lady *Jean*, married to John Scott of Harden, who died 1734. She had two daughters, Anne, married to Thomas Shairp of Houstoun, in the county of Linlithgow, and Miss Mary Scott, a celebrated beauty, whose portrait, at full length, is in the palace of Hamilton.

VI. ALEXANDER, fifth Earl of KELLIE, the only son, succeeded his father, 1710; was included in the act of attainder, 1746; surrendered himself to the Lord Justice-Clerk at Edinburgh, 11th July 1746; and was committed prisoner to the castle of that place. No bill of indictment being preferred against him, his Lordship presented a petition to the Court of Justiciary, 8th August 1749, praying to be brought to trial within sixty days, or to be set at liberty; the latter alternative was adopted, and he was accordingly liberated from Edinburgh castle, 11th October 1749, after a confinement of more than three years. He died at Kellie, 3d April 1756.

His Lordship married, first, Louisa, daughter of William Moray of Abercairny, in the county of Perth, without issue; secondly, Janet, daughter of Dr Archibald Pitcairn, the celebrated Jacobite physician and poet; and by her, who died at Drumsheugh, 7th June 1775, had issue,

1. *Thomas Alexander*, sixth Earl of Kellie.

2. *Archibald*, seventh Earl of Kellie.

3. Hon. *Andrew* Erskine, who had a lieutenant's commission in the 71st regiment of foot in 1759; it was reduced in 1763, and he exchanged from half-pay into the 24th regiment of foot, then quartered at Gibraltar. He published some letters and poems, addressed to James Boswell, Esq.; and died, in 1793, unmarried.

1. Lady *Elisabeth*, married, first, at Edinburgh, 10th April 1760, to Walter Macfarlan of Macfarlan, the eminent antiquary, who died 5th June 1767; secondly, 10th October 1768, to Alexander, fourth Lord Colvill of Culross, who died at Drumsheugh, 21st May 1770. She had no issue by either; had a jointure of L.300 a year from the former, and L. 400 from the latter, and died at Drumsheugh, 2d November 1794, æta. 60.

2. Lady *Anne*, born 18th February 1735; died at Christianbank, 18th March 1802, æta. 68. A high character of this lady is inserted in the Scots Magazine for May 1802.

3. Lady *Janet*, married, at Queensferry, 18th August 1763, to Sir Robert Anstruther of Balcaskie, in Fife, baronet*, and died at Balcaskie, 14th October 1770, leaving six children,

1. The gallant Brigadier-General Robert Anstruther, who fell a sacrifice to his unwearied exertions in bringing up the rear of the British army under Sir John Moore, in the disastrous retreat to Corunna, in January 1809. He married, at Margate, 16th March 1799, Lucy Charlotte, only surviving child of Colonel James Hamilton, grandson of James, fourth Duke of Hamilton, and first Duke of Brandon, and left five children: 1. Jane; 2. Ralph; 3. Charlotte; 4. James Hamilton; and, 5. ———.

2. Alexander, barrister at law and judge-advocate at Madras.

3. Philip, who died a lieutenant in the royal navy.

1. Janet, married, at the Earl of Hardwicke's, London, 27th September 1797, to Thomas Andrew Strange, recorder of Fort St George, in the East Indies.

2. Catherine.

* Sir Robert Anstruther of Balcaskie, baronet, born 21st April 1733, was son of Sir Philip Anstruther of Balcaskie, baronet, by Catherine, daughter of Lord Alexander Hay of Spot. She died 11th February 1759.

Kellie.

3. Elisabeth, married, at Drumsheugh, 2d March 1787, to Colin Campbell of Stonefield, in Argyllshire. Her son, John Campbell of Stonefield, married, at Rosedow, 15th July 1808, Wilhelmina, daughter of Sir James Colquhoun of Luss, baronet.

VII. THOMAS ALEXANDER, sixth Earl of KELLIE, the eldest son, born 1st September 1732, succeeded his father 1756; and died at Brussels, 9th October 1781, in the 50th year of his age, unmarried. His disposition was remarkably cheerful and convivial; and as he possessed a considerable share of wit and humour, accompanied with great gentleness and affability of manners, his company and conversation were eagerly sought after. Though endowed with talents equal to the first employments of the state, a constitutional indolence, too frequently the concomitant of genius, prevented him from engaging in any public line or profession. In polite literature, he was a considerable proficient; but his favourite study was music, in which he attained an uncommon degree of excellence, and produced works that, in point of harmony, would have done honour to the greatest composers of the age. He was esteemed, by the cognoscenti, as the first man of taste, in the musical line, of any Briton, and ranked over all Europe in the first musical form. During his residence on the continent, he studied hard for a dilettante; but, after his return to Britain, he was more assiduous in the service of Bacchus than of Apollo.

A late writer * observes, that the Earl of Kellie was the greatest secular musician in his line in Britain. "In his works, the "fervidum ingenium of his country bursts "forth, and elegance is mingled with fire. "From the singular ardour and impetuo- "sity of his temperament, joined to his "German education, under the celebrated "Stamitz, and at a time when the German "overture, or symphony, consisting of a "grand chorus of violins and wind instru- "ments, was in its highest vogue, this "great composer has employed himself "chiefly in symphonies, but in a stile pe- "culiar to himself. While others please "and amuse, it is in his province to rouse "and almost overset his hearer. Loudness, "rapidity, enthusiasm, announced the Earl "of Kellie. His harmonies are acknow- "ledged to be accurate and ingenious, ad- "mirably calculated for the effect in view, "and discovering a thorough knowledge "of music. From some specimens it ap- "pears that his talents were not limited to "a single stile, which has made his ad- "mirers regret that he did not apply him- "self to a greater variety of subjects. He "is said to have composed only one song, "but that an excellent one. What ap- "pears singularly peculiar to this musi- "cian, is what may be called the velocity "of his talents, by which he composed "whole pieces of the most excellent music "in one night. Part of his works is still "unpublished, and not a little is probably "lost. Being always remarkably fond of "a concert of wind instruments, whenever "he met with a good band of them, he "was seized with a fit of composition, and "wrote pieces in the moment, which he "gave away to the performers, and never "saw again; and these, in his own judg- "ment were the best he ever composed."

Kellie.

VII. ARCHIBALD, seventh Earl of KELLIE, born at Kellie, 22d April 1736; entered into the army at an early period of life; was major to the 11th regiment of foot, at his succession to the title, on the death of his brother, 1781; was promoted to the lieutenant-colonelcy of the 104th foot in February 1782; but peace soon taking place, his Lordship quitted the army; was chosen one of the sixteen representatives of the Scotish peerage, at the general election, 1790; and died at Kellie, 8th May 1797, in the 62d year of his age, unmarried, when the title devolved on Sir Charles Erskine of Cambo, baronet, descended from

Scots Mag. 1802, p. 787 to 792.

IV. The Hon. Sir CHARLES ERSKINE, third son of Alexander, Viscount of Fentoun. He joined the royalists under the Earl of Middleton, and was taken prison-

* Robertson of Dalmeny, Enquiry into the Fine Arts, Vol. I.—In Chalmers's Caledonia, Vol. I. p. 885, it is stated, that "the Earl of Kellie carried up "musical practice by scientific efforts to extraordinary "excellence."

Kellie. er, in the braes of Angus, in November 1654. He was installed lord-lion king-at-arms, 25th September 1663, and crowned by the Earl of Rothes, his Majesty's commissioner; was created a baronet, 20th August 1666; purchased, in 1688, the barony of Cambo, in Fife, of which he had a charter, 27th October 1669, and he died in February 1677. He married Miss Barclay of London, by whom he had a son,

Sir *Alexander*;—and three daughters,

1. *Mary*, married to Alexander Colvill of Kincardine, and was mother of John, third Lord Colvill of Culross.

2. *Penelope*, married to Macdonald of Clanronald.

3. *Sophia*, married to Sir James Sharp of Scotscraig.

V. Sir ALEXANDER ERSKINE of Cambo, baronet, the only son, born 1665, succeeded his father 1677; was served heir of him, 12th October 1686; and received the appointment of lord-lion king of arms, as appears from "the order observed at the "coronation of Sir Alexander Erskine of "Cambo, baronet, lord-lion king of arms, "at the royal palace of Holyroodhouse, "27th July 1681, his royal highness James, "Duke of Albany and York, being his "Majesty's high commissioner." He had a commission, under the great seal, of the office of lord-lion king of arms, to himself and his son, 29th January 1702; was appointed joint keeper of the *signet*, along with William Cochrane of Kilmaronock, and John Pringle of Haining, 1711; and was chosen Member of Parliament for the county of Fife, at the general election, 1713. He joined the Earl of Marr when he landed in Fife, from London, in August 1715; was one of the persons summoned to surrender; complied with the summons, 17th September that year, and was committed prisoner to the castle of Edinburgh. After the rebellion was extinguished, he was released from custody, and died in 1735. He married, in 1680, his cousin-german, Lady Mary Erskine, eldest daughter of Alexander, sixth Earl of Kellie. They had several children,

1. Sir *Charles* Erskine of Cambo, baronet, who succeeded his father, and died, unmarried, on the 8th of February 1753.

2. Sir *John* Erskine of Cambo, baronet, who succeeded his brother, and died, unmarried, 20th June 1754. Kellie.

3. Sir *William* Erskine of Cambo, baronet, who succeeded his brother, and died, unmarried, 30th October 1780.

4. *David*.

5. *Thomas*, who died at Kinross, 2d February 1783. He married Miss Row, by whom he had three sons, Charles, who died unmarried; David, who died, unmarried, at Wareham, 7th April 1804; and Stewart Erskine, Esq. London, who married Miss Reid, without issue.

6. *Colin*, who went abroad at an early age, to study the art of painting at Rome, where he married a lady of distinction, and had a son, Charles Erskine, born at Rome, 13th February 1753, who was patronized by the Pretender; admitted on the foundation of the Scotish college at Rome, and placed under the Abbate Salo, the first lawyer in that city. Erskine drew up a memorial in a case of impotency, in Latin, in a stile so truly classical, and with such delicacy of expression, that it attracted the notice and approbation of Pope Pius VI., who rewarded the author by conferring on him the office of Promotore della fide, jocularly called the Avocato di Diavolo, it being the province of that officer to oppugn, on the part of the Devil, the claims of the saints to canonization. He was sent to England by the Pope, in 1792, but not recognized by ministers in a public capacity, though he was presented at court as a private gentleman. He was raised to the dignity of Cardinal Deacon, in 1801, by Pius VI., on whose expulsion from Rome he was sent a prisoner to France, and compelled to reside at Paris. King George III. was graciously pleased to bestow on him a pension of L. 200 a-year; and he died at Paris, on the 19th of March 1811, in the 69th year of his age. He was a delightful companion, a Scotish patriot, an excellent man, and a sincere Christian.

1. *Sophia*, married to Sir Alexander Sharp of Scotscraig.

2. *Anne*, died, unmarried, at Edinburgh, 18th June 1764.

3. *Penelope*, died, unmarried, at Edinburgh, 7th April 1768.

VI. DAVID ERSKINE, fourth son of Sir Alexander Erskine of Cambo, died before his brother Sir William. He married, first, Miss Grant of Edinburgh, and had two daughters,

1. *Anne*, married to William Dewar of Laverocklaw, and was mother of Colonel David Dewar of Lathallan.

2. *Penelope*, married to James Stewart of Ballado.

He married, secondly, Miss Young of Edinburgh, and had six sons,

1. Sir *Charles* Erskine of Cambo.

2. *George*, who died unmarried.

3. *John*, who died unmarried.

4. *David*, who was settled in India, and died, unmarried, at Cambo, 5th August 1793.

5. *Thomas*, ninth Earl of Kellie.

6. *Methven* Erskine, formerly of Bengal, now of Airdrie, in Fife, married at Edinburgh, 10th July 1781, to Johanna, daughter of the late Adam Gordon of Ardoch, sister of Anne, Countess of Kellie, without issue.

VII. Sir CHARLES ERSKINE of Cambo, the eldest son, succeeded his uncle, Sir William, in 1780; and died at Cambo, 6th March 1790. He married Miss Cheyne, and had three sons,

1. Sir *William* Erskine of Cambo, succeeded his father 1790; and died, unmarried, at Niagara, in America, 2d October 1791.

2. *David*, died young.

3. *Charles*, eighth Earl of Kellie.

VIII. Sir CHARLES ERSKINE of Cambo, the youngest son, succeeded his brother, Sir William, 1791; became eighth Earl of Kellie, 1797; and died, a captain of the Fifeshire light dragoons, at Folkestone, in Kent, 28th October 1799, æta. 35, unmarried. He was buried with military honours, 9th November, in the north aile of Folkestone church, where is a stone thus inscribed: To the memory of Charles Erskine, eighth Earl of Kellie, Viscount Fentoun, Premier Viscount of Scotland, Baronet, a Captain in the Fifeshire Light Dragoons, who died the 28th October 1799, aged 35. The title devolved on his uncle.

VII. THOMAS, ninth Earl of KELLIE, born about 1745, who was appointed, in 1775, his Britannic Majesty's consul at Gothenburgh, Marstrand, and other ports on the western coast of Sweden. He succeeded as ninth Earl of Kellie, 1799; was elected one of the sixteen representatives of the Scotish peerage, 14th November 1804, on the vacancy occasioned by the decease of the Marquis of Tweeddale; was again chosen, at the general election, 1807, and has made extensive purchases in Fife. The London Gazette, of 12th July 1808, notified that the King has been pleased, by warrant under his royal signet and sign manual, bearing date 6th July instant, to give and grant unto the Right Hon. Thomas Erskine, Earl of Kellie, his royal license and permission, that he may, in compliance with the desire of his Majesty, Gustavus Adolphus IV. King of Sweden, accept and wear the ensigns of a knight-commander of the royal order of Vasa, conferred upon him by that sovereign, and to order that this his Majesty's concession, together with the relative documents, be registered in the College of Arms.

His Lordship married, at Gothenburgh, in 1771, Anne, daughter of the late Adam Gordon of Ardoch. They have no issue.

TITLES.—Thomas Erskine, *Earl of Kellie, Viscount of Fentoun, Baron of Dirletoun, Premier Viscount of Scotland, Baronet of Nova Scotia, Knight-Commander of the Royal Order of Vasa.*

CREATIONS.—Baron of Dirletoun, in the county of Haddington, 1603; Viscount of Fentoun, in the same county, 18th May 1606, to the first Viscount, et heredibus masculis de corpore suo, quibus deficientibus, heredibus suis masculis quibuscunque in perpetuum; Earl of Kellie, in the county of Fife, to the first Earl, et heredibus suis masculis cognomen de Erskine, gerentibus, 12th March 1619; Baronet of Nova Scotia, 20th August 1666.

ARMS.—Quarterly: 1st and 4th, Gules, an imperial crown within a double tressure, flowered, Or, as a coat of augmentation for preserving James VI. at Perth,

Kellie.

1600; 2d and 3d, Argent, a pale sable, for Erskine.

CREST.—A demi-lion guardant, gules.

SUPPORTERS.—Two griffins, Or, armed, gules; on their breasts a crescent, sable.

MOTTO.—*Decori decus addit avito.*

Kellie.

CHIEF SEATS.—Kellie Castle, and Cambo House, in Fife.

GORDON, VISCOUNT OF KENMURE.

Kenmure.

I. WILLIAM DE GORDON, second son of Sir Adam Gordon of Gordon, (see title Duke of Gordon,) got from his father the barony of Stitchill, in the county of Roxburgh, as appears from a charter of Thomas Randolph, Earl of Moray, to Sir Adam de Gordon, knight, and William de Gordon, his son, and his heirs, of the lands of Stitchill, confirmed by King Robert Bruce 1315. He also got from his father the lands of Glenkenns, in the stewartry of Kirkcudbright, comprehending Lochinvar, Kenmure, &c. which were acquired by Sir Adam de Gordon, from John de Maxwell, 1297. William Gordon appears to have been engaged against King David II., as a remission was granted, 9th May 1354, by William, Lord Douglas, to William Gordon, and all his followers in Galloway, receiving them into the peace of the king; restoring them to all their heritages and conquests within Scotland, and discharging them of all transgressions committed since the battle of Durham, 1346. William Gordon, Lord of Stitchill, obtained from Robert, Earl of Strathern, a charter, dated 8th April 1358, of the heritable keeping of the new forest of Glenkenns, in as ample a manner as the Earl had got it from King David II., his uncle. He had from that monarch a grant of the lands of Balmonth, in Fife, of which he gave a charter to his sons, Thomas and Alexander. He died about 1370, leaving four sons,

Penes Pringle de Stitchill. D.

Carta penes Kenmure. D.

Ibid.

Penes Gordon de Kenmure. D.

Robertson's Index, 50, 52.

1. *Roger.*

2. *Thomas.*

3. *Alexander.*

4. *John*, who resigned the lands of Balmonth to William, Earl of Douglas, who had a charter of the same, 14th January 1369-70.

Kenmure.

II. ROGER DE GORDON of Stitchill, the eldest son, with Sir William Borthwick, were commissioners for settling the marches with England, which they happily concluded, at Clockmabanestane, 6th November 1398. Roger de Gordon was killed at the battle of Hamildon, 1402, leaving a son,

Fœdera, VIII. 58. D.

Fordun, II. 434.

III. Sir ALEXANDER GORDON of Stitchill, who was retoured heir to his father, and infeft on a precept of sasine, obtained from Archibald, Earl of Douglas, then superior of Galloway, 24th January 1403. He was one of the hostages for that Earl, and got letters of safe conduct to go into England for that effect, 1408. In consideration of his good service, and on payment of fifty-five nobles in gold, the Earl of Douglas gave Sir Alexander Gordon a ratification of all his lands in the lordship of Galloway; the Earl also gave him a grant of the twenty-mark land of old extent of Balmaclellan, in the same lordship, 28th May 1408. Sir Alexander Gordon was constituted bailie of the barony of Earlstoun. He had two sons,

In Arch. Fam. de Kenmure. D.

Rymer, VIII. 539.

In Arch. Fam. de Kenmure. D.

1. *Roger.*

2. *Adam* Gordon of Holm, whose son, Quintin de Gordon, was infeft in the lands of Holm, in 1465, and of him Robert

Ibid.

Kenmure.

Gordon of Craig is the lineal descendant.

IV. ROGER DE GORDON of Stitchill, the eldest son, confirmed to St Mary, and the monks of Jedburgh, 1st June 1431, a grant of two ox-gangs of land formerly made to them by William de Gordon, some time Lord of Stitchill. He made a resignation of the lands of Stitchill in favour of his son, William, with reservation of his own liferent, in 1439, and died about 1442. His son,

Chartul. of Kelso. D.

V. WILLIAM DE GORDON, was designed of Stitchill and Lochinvar, and was the first of the family who settled in Galloway. He had a charter, to "William Gordon, "son of Roger Gordon of Stitchill," of the barony of Stitchill, on his father's resignation, 26th February 1439-40; and he died after 1450, leaving issue,

Mag. Sig. L. iii. No. 136.

1. *John.*

2. *Alexander*, who had a charter to "Alexander Gordon, brother of John Gor- "don of Lochinvar," of the lands of Auchinreath in the stewartry of Kirkcudbright, 29th October 1490; from him descended the Gordons of Aird, now of Earlstoun, and other families of that name.

L. xii. No. 161. L. xiv. No. 371.

3. *George*, who had a charter to "George "Gordon, brother of John Gordon of Loch- "invar," of part of Trechane, Barvorenvye, and Crag, 2d March 1494-5, ancestor of George Gordon in Tobago.

L. xiii. No. 118.

4. *Roger*, who married Macnaught, heiress of Crago, and was ancestor of Alexander Gordon of Crago, who left two daughters; the eldest, Mary, died unmarried; the second, Agnes, married William Glendonwyn of Glendonwyn, who died in 1809, leaving three daughters: Mary, married to Sir James Gordon of Letterfourie, baronet; Xaveria; and Ismene, married to Robert Scott of Wimpfen, in Hampshire, barrister at law.

Daughter, *Margaret*, married to Sir Thomas Maclellan of Bombie.

VI. Sir JOHN GORDON of Lochinvar, the eldest son, had charters of Corscranthane, 25th May 1492; of the middle third of Kirkcormock, 18th July 1501; and of Torstrathan and Dalbuty, 4th March 1506-7; all in the stewartry of Kirkcudbright; and he died towards the end of 1512. He married, first, Annabella, daughter of Robert, Lord Boyd, and by her had a son,

L. xii. No. 285. L. xiii. No. 464. L. xiv. No. 328.

1. Sir *Alexander.*

He married, secondly, Elisabeth Lindsay, and by her had issue.

2. Sir *Robert.*

3. *William* Gordon, who had a charter "Willielmo Gordon, filio carnali Joannis "Gordon de Lochinvar, inter ipsam et Eli- "sabetham Lindsay, sponsam suam, procre- "ato," of part of the barony of Craichlaw, in the stewartry of Kirkcudbright, 17th September 1500. He had another charter of the same from his father, 28th January 1606-7. He had charters Willielmo Gordon, filio carnali Joannis Gordon de Lochinvar, and Jonet Baillie, his wife, of Larglegarball and Merkleif, in the county of Wigton, from his father, 10th January 1515-6, of part of Auchingilbert, 14th January 1515-6, and of the lands of Craichlaw, 12th November 1516. He was ancestor of Sir Alexander Gordon of Culvennan, knight, the present respectable steward-depute of Kirkcudbright, the Gordons of Grange and Balmeg.

Mag. Sig. L. xiii. No. 394. L. xiv. No. 292. L. xix. No. 96, 131.

4. *John* Gordon, who obtained from his father the lands of Balmaclellan.

1. *Elisabeth*, married to Sir William Douglas of Drumlanrig, and had issue.

2. *Janet*, married, first, to Alexander Stewart of Garlies; secondly, to Sir William Keith of Innerugie*.

VII. Sir ALEXANDER GORDON of Lochinvar, the eldest son, had charters, to "Alexander Gordon, son and heir appa- "rent of John Gordon of Lochinvar," of the lands of Kenmure, Laggan, and Balmaclellan, 23d March 1487; also of the superiority of the same, then in the hands of the crown, by the forfeiture of the Earl of Douglas, and erecting them into a free barony. Having killed John Dunbar of Mochrum, steward of Kirkcudbright, in 1503, he was obliged to abscond; and his father and friends were exempted from the jurisdiction of the steward of that county,

L. x. No. 135. L. xii. No. 80. L. xviii. No. 95.

* In the Great Seal Register, is a legitimation, Regis clerico et oratori Magistro Willielmo Gordon, bastardo filio naturali quondam Joannis Gordon de Lochinvar, 23d March 1538. L. xxvi. No. 283.

Kenmures

on account of the deadly feud occasioned by that slaughter, by writ of privy-seal, 4th September 1508. He had a charter to Alexander Gordon, knight, son and heir apparent of John Gordon of Lochinvar, and Elisabeth Stewart, wife of the said Alexander, of the dominical lands of Stitchill, and part of Balmaclellan, in the barony of Kenmure, 4th October 1512; and he fell at the battle of Flodden, 9th September 1513. He married, first, Jonet, daughter of Sir William Douglas of Drumlanrig, relict of William, Master of Somerville, for which marriage a papal dispensation was obtained, on account of their consanguinity. She died without issue; secondly, Elisabeth Stewart, by whom he had a daughter,

In Arch. Fam. de Kenmure. D.

Janet Gordon, who claimed the estate; but after a long process before the lords of council, was obliged to renounce all right she had to Kenmure, &c. to her uncle, Sir Robert, 1516. She married, in 1520, Lachlan Macintosh of Macintosh, and had issue. Her uncle,

Mag. Sig. L. xix. No. 83, 131. L. xx. No. 37.

VII. Sir ROBERT GORDON, had a charter, Roberto Gordon de Glen, militi, filio carnali Joannis Gordon de Lochinvar, of the lands of Torstrauchane, in the stewartry of Kirkcudbright, from his father, 10th November 1515. He also had a charter, from his father, of the lands of Stitchill. After the death of his brother, he obtained a charter of the lands and baronies of Kenmure, Balmaclellan, and Stitchill, 10th May 1516, from Janet Gordon, daughter and heir of the deceased Alexander Gordon, knight. He had a grant of the clerkship of the stewartry of Kirkcudbright, and sheriffdom of Wigton, for his life, with power to officiate by deputies, and died about 1520.

In Arch. Fam. de Kenmure.

He married Marion, daughter and sole heiress of John Accarsan of Glenshireburn, now called Rusco, and by her had issue,

1. Sir *James*.

In Pub. Arch. D.

2. *John*, ancestor of the Gordons of Haslefield. He had a charter of Barnbarroch and Barnhaufie, 1518.

Mag. Sig. L. xx. No. 98, 99.

3. *Alexander*, who had charters to "Alexander Gordon, son of Robert Gordon of Glen, knight," of part of Gaitgill and Makilwarnock, in the stewartry of Kirkcudbright, 12th March 1517-8, and 16th May 1519. He had a charter of Barnbaruch, &c. from his brother James, 20th August 1520.

Kenmure.

4. *George*.

5. *Roger*.

6. *David*, who married Isabel, daughter of John Muirhead of Culreoch, and got with her the lands of Castramine.

1. *Catherine*, married to Patrick Agnew of Salquharry.

2. *Elisabeth*, married, first, to Uthred Macdowal of Machrimore; secondly, to Alexander Livingstone of Little Airds. She had a charter from him of the lands of Edingham, in the stewartry of Kirkcudbright, 26th May 1529.

Mag. Sig. L. xxiv. No. 121.

3. *Janet*, married to James, son and heir of Alexander Ogilvy of Ogilvy, [qu.?]

VIII. Sir JAMES GORDON of Lochinvar, the eldest son, had charters of Hardlands, Meneboye, &c. 11th July 1539, and of Arec, 14th July 1541, all in the stewartry of Kirkcudbright; had the appointment of King's chamberlain for the lordship of Galloway, for five years, by writ, dated 16th March 1528; and by another writ, dated 1st April 1537, he was constituted governor of the town and castle of Dunbarton, and chamberlain of that lordship, then in the crown by forfeiture. Sir James Gordon, with Sir James Douglas of Drumlanrig, and thirty-seven others, had a remission for the slaughter of Thomas Maclellan of Bombie, committed in the street of Edinburgh, dated 1529. He was one of those selected to accompany King James V. on his matrimonial expedition to France, 1536; and, on that occasion, he obtained a writ of privy-seal from the King, taking his friends and followers under the immediate care of the government, and exempting them from answering to courts for any misdemeanour whatever till his return to Scotland. Sir James Gordon fell at the battle of Pinkie, 10th September 1547.

L. xxvi. No. 282. L. xxvii. No. 166.

In Arch. Fam. de Kenmure. D.

In Arch. Fam. de Kenmure.

He married Margaret, daughter and sole heiress of Robert Crichton of Kilpatrick. She had a charter to her in liferent, remainder to William Gordon, her son, of the lands of Culreoch, in the county of Wigton, 19th October 1542. They had issue,

Mag. Sig. L. xxix. No. 157.

Kenmure.

1. Sir *John.*

2. *William* Gordon of Pennygame.

3. *Robert*, who had a grant of the lands of Muirfad, 21st July 1544; but dying, unmarried, his estate went to his nephew John, son of William Gordon of Pennygame.

In Arch. Fam. de Kenmure. D.

Ibid.

4. *James*, who had a charter of Hardlands, 1540.

Ibid.

5. *Alexander*, who got a lease from the crown of the lands of Slagnaw, in Kelton, and married Janet Kennedy, relict of John Kennedy of Largs.

1. *Janet*, married to Patrick Agnew, sheriff of Wigton, who, with consent of his curators, granted a charter to her of the lands of Salquhary, in that sheriffdom, 17th August 1550, wherein she is designed sister of John Gordon of Lochinvar *.

Mag. Sig. L. xxx. No. 486.

2. *Margaret*, married to Sir William Douglas of Hawick, eldest son of Sir James Douglas of Drumlanrig.

3. *Catherine*, married to Sir James Macculloch of Cardoness.

4. *Helen*, married to Sir Thomas Maclellan of Bombie.

5. *Elisabeth*, married, first, to John Grierson of Lag, from whom she had a charter of the lands of Brockloch, in the stewartry of Kirkcudbright, in her virginity, 30th December 1558, wherein she is designed sister of John Gordon of Lochinvar; secondly, to William Adair of Kenhilt.

L. xxxi. No. 318.

IX. Sir JOHN GORDON of Lochinvar, the eldest son, was, in 1555, appointed justiciary of the lordship of Galloway; and his commission was renewed in 1587. It appears that he settled his estate on his brother, William, at a time when he had no male issue, as a charter was granted to Juliana Home, wife of John Gordon of Lochinvar, for her life, remainder to William Gordon, brother of John, of the lands of Stitchill, Kenmore, &c. 14th September 1559; and another to William Gordon, brother of John Gordon of Lochinvar, of Stitchill, Kenmore, &c. 22d December 1563, reserving the terce to Elisabeth Maxwell, wife of John. John Gordon of Lochinvar had charters of several ecclesiastical lands in the stewartry of Kirkcudbright, from Alexander, Bishop of Galloway, 15th April 1564; and from the commendator of Tungland, 20th May 1566. He entered into a bond of manrent with Douglas of Drumlanrig, Crichton of Sanquhar, Kirkpatrick of Closeburn, and others, 1561, and signed the association in support of King James VI. 1567. He had several charters from that monarch, particularly one to John Gordon, knight, son and heir of Margaret Crichton, daughter and heiress of Robert Crichton of Kilpatrick, in 1580; and another to him and Elisabeth Maxwell, his wife, and John, their legitimate son, of the lands of Mekil Kilbryde, 2d February 1596-7. He died 23d August 1604.

In Arch. Fam. de Kenmure. D.

Mag. Sig. L. xxxi. No. 462. L. xxxii. No. 588.

Kenmure.

Mag. Sig. L. xxxii. No. 179. L. xxxiii. No. 200.

In Arch. Fam. de Kenmure. D.

Inq. Ret. in Publ. Arch.

He married, first, Juliana, daughter of Home of Wedderburn, and had by her a daughter,

Margaret, married, in 1572, to Hugh, first Lord Loudoun.

He married, secondly, in 1563, Elisabeth, daughter of John, Lord Herries, and had issue,

1. Sir *Robert.*

2. *William*, constituted commendator of Glenluce, 1581; infeft in the lands of Glenquicken and Garrocher, in 1588, who died without issue.

3. *John* Gordon of Buitle, who died without issue.

4. *James* Gordon of Barncrosh.

5. *Alexander* Gordon of Endrig.

1. *Mary*, married to Alexander Kennedy of Bargany.

2. *Janet*, married to John Macdowall of Garthland.

3. *Grizel*, married, 15th October 1600, to Alexander, first Earl of Galloway.

X. Sir ROBERT GORDON of Lochinvar, the eldest son, one of the strongest and most active men of his time, gave many instances of his valour in defence of the Gallovidians against the inhabitants of Annandale, who, when they lost cattle by the

* In the first edition, she is said to have married, first, William, sixth Earl of Glencairn. This William, sixth Earl of Glencairn, had a charter to him and Jonet Gordon, his wife, 24th August 1549, and lived till 1576. She must therefore have been a different person from Jonet Gordon, sister of John Gordon of Lochinvar, who had a charter from Patrick Agnew, 17th August 1550.

Kenmure. incursions of the English, were in the use of supplying their losses by plundering their neighbours. In one of these encounters his friend and follower, John Gordon of Lochinkitt, burnt the houses of Gratney, Wamphray, Lockerby, &c. killed Richard Irvine of Gratney, and took several prisoners. King James VI. sending out a strong party to apprehend him, he deforced his Majesty's officers, making the principal eat the warrant. However, his father and friends interceding for him, he obtained an ample remission, came to court, and was appointed one of the gentlemen of the bedchamber to the King. At a tournament proclaimed by his Majesty, Sir Robert Gordon was one of the three successful champions to whom prizes were delivered by the Princess Elisabeth.

In Arch. Fam. de Kenmure. D.

Johnston's Hist. 714.

Sir Robert Gordon of Glen, son and heir of Sir John Gordon of Lochinvar, had a charter of the lands of Kirkanders, &c. 31st January 1597-8; and he was served heir of his father, 5th November 1604. He had charters of the lands of Marbrak, Knokgreis, Knok, &c. 27th April 1605, of the tenandry of Gordonstoun, 13th June 1611, of the barony of Gelstoun, 19th October 1611. He and John Murray (afterwards Earl of Annandale) had grants of the barony of Crossmichael, in 1611, and of Meikle Dryburgh, in 1616. Sir Robert Gordon of Lochinvar had charters of Wester Barcapill, Kirkconnell, and Blackmark, 2d June 1615, and of the barony of Earlstoun, 27th July 1620; all these lands lying in the stewartry of Kirkcudbright. He had a grant of the barony of Galloway, in Nova Scotia, in America, 8th November 1621; a charter of the barony and lordship of Charles Island (Insula Caroli,) 1st May 1626; and he died in November 1628.

Mag. Sig. L. xli. No. 239. Inq. Ret. iii. 106, 127. Mag. Sig. L. xliv. No. 271. L. xlvi. No. 268, 288, 318. L. xlvii. No. 429. L. xlviii. No. 105. L. xlix. No. 275. L. l. No. 39. L. li. No. 156.

He married Lady Isabel Ruthven, daughter of William, first Earl of Gowrie, and by her had issue,

1. Sir *John*.

2. *Robert* Gordon of Gilston, who had a grant of the barony of Galloway, in Nova Scotia, with many ample privileges. He died without issue.

1. *Elisabeth*, married to John, third Earl of Nithsdale.

2. *Isabel*, married to Alexander Fraser of Philorth. Kenmure.

XI. Sir JOHN GORDON of Lochinvar, the eldest son, had a charter of Endrig, &c. 10th February 1619, was served heir of his father, 20th March 1628; sold the barony of Stitchill, the antient inheritance of the family, the price of which, it is said, he gave in a purse to the Duke of Buckingham, in hopes he would support his claim, in right of his mother, to the earldom of Gowrie, the night before his Grace was murdered by Felton, in August 1628; consequently the whole was lost. He was created Viscount of Kenmure, and Lord of Lochinvar, by patent, dated 8th May 1633, to him and his heirs male whatever, bearing the name and arms of Gordon. He attended King Charles I. at the parliament in June 1633, but staid only a few days, returning home on account of indisposition. He went to Edinburgh, on private business, in August 1634; and, after some days residence there, he came home towards the end of that month, much indisposed, and *died at Kenmure*, on the 12th of September 1634, in the 35th year of his age. He died with great resignation and faith. A circumstantial account of his pious behaviour, during his illness, is inserted in the publication quoted in the margin. He gave his lady, *several times*, an honourable and ample testimony of her holiness, goodness, and respectful carriage to him, and earnestly requested her forgiveness *wherein he had offended* her. He married, in 1628, Lady Jean Campbell, third daughter of Archibald, seventh Earl of Argyll; and by her, who married, secondly, 21st September 1640, the Hon. Sir Hary Montgomery of Giffen, second son of Alexander, sixth Earl of Eglintoun, had a son,

Mag. Sig. L. xlix. No. 107. Inq. Ret. x. 49.

Mag. Sig. L. liv. No. 63.

Biographia Scoticana, 145 to 160.

XII. JOHN, second Viscount of KENMURE, who was served heir of his father, in great estates in the stewartry of Kirkcudbright, 17th March 1635. His tutors testamentar were, Archibald, Marquis of Argyll, and William, Earl of Morton. He died under age, and *unmarried*, in August 1639, and was succeeded by his cousin, John, son of Inq. Ret. xiv. 24.

Kenmure.

X. JAMES GORDON of Barncrosh and Buittle, fourth son of Sir John Gordon of Lochinvar (No. IX.) He died in May 1633, leaving, by his wife, Margaret, daughter of Sir John Vans, relict of John Glendonwyn of Drumrash, two sons,

1. *John*, third Viscount of Kenmure.

2. *Robert*, fourth Viscount of Kenmure.

XI. JOHN, third Viscount of KENMURE, the eldest son, succeeding his cousin, 1639, came of age in October 1641; and died, unmarried, in October 1643, æta. 23, being succeeded by his brother,

XI. ROBERT, fourth Viscount of KENMURE, who was, on the 1st of May 1645, served heir male, and of entail, of John, Viscount of Kenmure, the grandson of his uncle; heir male, and of entail, of John, Viscount of Kenmure, the son of his uncle; and heir male of James Gordon of Buittle, his father, in great estates in the stewartry of Kirkcudbright. He was born in November 1622; suffered many hardships on account of his loyalty; and was excepted out of Cromwell's act of grace and pardon, 1654. At the restoration he went to court; married a lady there, in 1661; returned to Scotland the same year; was served heir of John, Viscount of Kenmure, the son of his uncle, in Drumrasch, and other lands, 14th January 1662 *; and died at Greenlaw, without issue, in 1663, when the title devolved on the heir male, descended from

Inq. Ret. xviii. 60, 68, 69.

Ib. xxvi. 127.

IX. WILLIAM GORDON of Pennygame, second son of Sir James Gordon of Lochinvar (No. VIII.) A charter was granted to his mother, Margaret Crichton, in liferent, and to him, in fee, of the lands of Culreoch, in the county of Wigton, 19th October 1542; and his brother, Sir John, when he had no male issue, settled his estates on him, 1559 and 1563. By his wife, Helen, daughter of Alexander Stewart of Gairlies, he had a son,

X. JOHN GORDON of Pennygame, who succeeded to the lands of Muirfad, on the death of his uncle Robert. He was succeeded by his son,

Kenmure.

XI. ALEXANDER GORDON of Pennygame, a great loyalist, who died about 1645, having contracted much debt, as appears from apprisings and adjudications led against his estate after his death. His son and successor,

XII. WILLIAM GORDON of Pennygame, died about 1660. He had two sons,

1. *John*, died, without issue, 1662.

2. *Alexander*.

XIII. ALEXANDER GORDON of Pennygame, who succeeded Robert Viscount of Kenmure in 1663, as appears from an inhibition against Alexander Gordon of Pennygame, now Viscount Kenmure, heir male to umquhil Robert, Viscount Kenmure, his predecessor, who was heir male to umquhil John, Viscount Kenmure, his predecessor, who was heir male to umquhil John, Viscount Kenmure, his predecessor, who was son and heir to umquhil John, first Viscount Kenmure, his father, and so heir male, by progress, to him upon the passive titles, 6th July 1663. He thus became fifth Viscount of Kenmure; had a charter of the lands of Kenmure, 1676; went to St Germains to King James VII.; but was ill treated there; and died in April 1698.

Macky's Memoirs, xliv.

He married, first, the daughter and heiress of Gordon of Auchlawin, and by her had one daughter,

Hon. *Agnes* Gordon, married, first, to William Maxwell of Kelton; secondly, to John Lindsay of Wauchope.

He married, secondly, Marian, daughter of Maculloch of Ardwell, by whom he had a son,

William, sixth Viscount of Kenmure;—and three daughters,

1. Hon. *Jean* Gordon, married to William Gordon of Shirmers.

2. Hon. *Marion* Gordon, married to Sir Alexander Gordon of Earlstoun, and had one daughter, Marion, married to Alexander Gordon of Earlstoun, and one son, William Gordon of Greenlaw, who died in October 1757. He married, in 1740, Isa-

* In the retour he and his cousin are erroneously stiled Earls of Kenmuir.

bel Gordon, heiress of William Gordon of Culvennan. She died October 1802. They had issue: 1. Sir Alexander Gordon of Culvennan, knight, who became a member of the Faculty of Advocates, 1771, and was appointed steward-depute of Kirkcudbright. He married, 17th July 1769, Miss Grace Dalrymple, daughter of Dr James Dalrymple of Dunraggat, by Grace Macdowall of Freugh, and had issue: 1. William, born 26th April 1770, drowned, 20th June 1784, in his 15th year; 2. James, born 2d November 1771, became a member of the Faculty of Advocates, 1793, and was appointed one of the commissaries of Edinburgh; 3. David, born 26th March 1774, married, 1798, to Miss Agnes Hyslop, and has issue; 4. Grace, born 14th March 1776, died at Bristol, 30th March 1808; 5. Isabella, born 6th October 1779; 6. Marion, born 19th October 1784, died 11th January 1801. 2. David, an ensign in the 67th regiment of foot, killed in battle at Bucharest, in October 1771. 3. Robert Gordon, Esq. unmarried. 1. Marion, married, first, to William Kirkpatrick of Raeberry; secondly, in 1783, to Alexander Maxwell of Terraughty, without issue. 2. Jane. 3. Isabel, married, in 1779, to James Balmain, Esq. commissioner of excise, and has two sons: 1. John, on the medical establishment at Madras; and, 2. Fletcher Norton, in the native cavalry at Madras. 4. Wilhelmina, unmarried.

3. Hon. *Elisabeth* Gordon, married, first, to Samuel Maxwell of Newlaw; secondly, to Samuel Brown of Mollance.

He married, thirdly, Lady Grizel Stewart, only daughter of James, second Earl of Galloway, and had issue,

1. Hon. *John* Gordon of Greenlaw, who was served heir male, and of provision, of his father, Alexander, Viscount of Kenmure, 20th September 1698. He married Nicholas, daughter of Stewart of Castlestewart, and had issue, now extinct.

2. Hon. *James* Gordon, who married Grizel, eldest daughter and heiress of William Gordon of Grange. They had a daughter, Grizel, married to Alexander Macghie, younger of Balmacghie, who died in his father's lifetime. She died about 1780. They had a daughter, Grizel, married to Captain James Anderson of the marines, killed in a duel in New England; and she died, without issue, 1798.

1. Hon. *Mary* Gordon, married to Sir Patrick Maxwell of Springkell, in the county of Dumfries, baronet, and had one son, Sir William Maxwell of Springkell, baronet, father of Sir John Heron Maxwell, now of Springkell, baronet, who married the only daughter and heiress of Patrick Heron of Heron.

2. Hon. *Grizel* Gordon, married to Robert Gordon of Dundeugh, without issue.

3. Hon. *Isabel* Gordon, married to John Macghie of Balmacghie, and had issue.

XIV. WILLIAM, sixth Viscount of KENMURE, succeeded his father 1698; set up the standard of the Pretender at Lochmaben, 12th October 1715; and had the chief command of the rebel forces in the south of Scotland, although too mild and calm for such a post. He was a grave full-aged gentleman; of a singular good temper; of great experience in political business; but of little or none in military affairs. Marching with the rebels into England, he was taken at Preston, 13th November same year, and tried before the House of Lords, 19th January 1716. He delivered his answers to the articles of impeachment viva voce, but pled guilty; was, on the 9th of February, sentenced to be executed, and was beheaded on Towerhill, 24th February 1716. He was attended to the scaffold by his son and other friends, and two clergymen, shewing great firmness in his last moments. His titles and estates were forfeited to the crown.

He married Miss Mary Dalzell, only sister of Robert, sixth Earl of Carnwath; also forfeited 1715. She was a lady of great spirit. After her husband's execution she posted down to Scotland by herself, and reached Kenmure castle in time to secure the principal papers. When the estate was put up to sale, she, with the assistance of some friends, was enabled to purchase it; and being an excellent manager, by the time her son came of age, she delivered it over to him, free of debt, reserving only a small annuity to herself. She died at Terregles, 16th August 1776, having survived her husband 61 years. They had issue,

Kenmure.

1. *Robert*, who died, unmarried, 10th August 1741, in his 28th year.

2. *John.*

3. *James*, who died unmarried.

Daughter, *Henriet*, married to her mother's cousin-german, John Dalzell, son of Captain James Dalzell, uncle of Robert, Earl of Carnwath, and had issue.

XV. JOHN GORDON of Kenmure, the eldest surviving son, was an officer in the army; and died at Liverpool, 16th June 1769. He married, 11th March 1744, Lady Frances Mackenzie, only daughter of William, fifth Earl of Seaforth; and by her, who died at Edinburgh, 7th January 1796, had issue,

1. *William* Gordon of Kenmure, captain in the first or Royal Scots regiment of foot, who died in Minorca, 7th February 1772, unmarried.

2. *John.*

3. *Adam*, an officer in the army, afterwards collector of the customs at Portpatrick, who died 17th December 1806. He married Miss Davies, an English lady, and left five sons and one daughter by her.

4. *Robert*, died unmarried 1797.

5. *James*, died, unmarried, in India, 1781.

Daughter, *Frances*, died at Bristol hotwells, 17th July 1770, unmarried.

XVI. JOHN GORDON of Kenmure, the second but eldest surviving son, was a captain in the 17th regiment of foot; chosen Member of Parliament for the stewartry of Kirkcudbright, 1780, being a double return; the election was declared void: Mr Gordon was a second time returned; but found not duly elected; he was chosen for the same county, at the general election, 1784, and vacated his seat 1786. He married Miss Morgan, an English lady.

Kenmure.

CREATIONS.—Viscount of Kenmure, and Lord of Lochinvar, by patent, dated at Theobalds, 8th May 1633, to the first Viscount, and his heirs male for ever, bearing the name and arms of Gordon.

ARMS.—Azure, three boars heads, erased, Or.

CREST.—A demi-savage, proper, wreathed about his temples and middle with laurel.

SUPPORTERS.—Two savages, wreathed about the middle with laurel, each holding in his outer hand a baton, proper.

MOTTO.—*Dread God.*

CHIEF SEAT.—Kenmure Castle, in the stewartry of Kirkcudbright.

BOYD, EARL OF KILMARNOCK.

Kilmarnock. Caledonia, I. 575.

I. SIMON, brother of Walter, the first high-steward of Scotland, and youngest son of Alan, the son of Flathald, following his brother into this kingdom, witnessed his foundation charter of the monastery of Paisley, 1160, in which he is designed frater Walteri, filii Alani, dapiferi.

II. ROBERT, his son, according to the first edition, was called *Boyt* or Boyd, from his fair complexion, from the Celtic Boidh, signifying fair or yellow. He is designed nephew of Walter the high steward in the chartulary of Paisley. Robert Boyd is witness to a contract betwixt Bryce de Eglintoun and the town of Irvine, 1205.

Kilmarnock. Nisb. Her. I. 153. Crawf. Renf. 55.

III. ROBERT BOYT, or dictus Boyt, is to be found in a charter by Sir John Erskine, of the lands of Haikhill, 1262; and

Nisb. Her. App. II. 35.

Kilmarnock. Crawf. Peer. 242.

distinguished himself at the battle of Largs, 1263, for which he had a grant of lands in Cuninghame.

Nisb. Her. App. II. 35.

IV. Robert Boyt was one of those who swore fealty to King Edward I. when he overrun Scotland, 1296; but joined Sir William Wallace in 1297.

Dalr. Ann. II. 2.

V. Sir Robert Boyd was one of the first associates of King Robert I. in his arduous attempt to restore the liberties of Scotland, 1306. For his faithful adherence to his cause, he had a grant from that monarch, Roberto Boyde, militi, dilecto et fideli nostro, of the lands of Kilmarnock, Bondington, and Hertschaw, which were John de Balliol's; the lands of Kilbryd and Ardnel, which were Godfrey de Ross's, son of the deceased Reginald de Ros; all the land which was William de Mora's, in the tenement of Dalry; with seven acres of land, which were Robert de Ross's, in the tenement of Ardnel; all erected into an entire and free barony to be held of the King. He had also a charter of the lands of Nodellesdale; and a third granting Hertschaw in free forest. He was one of the guarantees of a treaty of peace with the English, 1323. He was taken prisoner at the battle of Halidonhill, 19th July 1333; and died not long afterwards*. He had three sons,

Reg. Mag. Sig. 10.

Dalr. Ann. II. 123. III. 89.

1. Sir *Thomas.*

Ib. II. 239.

2. *Alan*, who commanded the Scotish archers at the siege of Perth, under the steward of Scotland, 1339, and was killed there.

Macf. Coll. I. 443. D.

3. *James*, witness in a charter 1342.

Robertson's Index, 40.

VI. Sir Thomas Boyd of Kilmarnock, the eldest son, had, from King David II., a grant of the forfeiture of William Carpentar, and accompanied that monarch to the battle of Durham, 1346, where he was taken prisoner with his royal master. He had three sons,

Kilmarnock. Dalr. Ann. III. 110.

1. Sir *Thomas.*

2. *William* Boyd, who had from King David II. a grant of the lands of Auchmarr, in the county of Dunbarton, forfeited by Duncan de Luss, 18th December 1366. Thomas Fleming of Foulwood, formerly Earl of Wigton, having impignorated to him the lands of Leygne, for L. 80 sterling, he gave a charter of these lands to Malcolm Fleming, and Christian, his wife, dated on the feast of St Martin in winter, 1372, wherein he stiles himself filius quondam Domini Thomæ Boyd, militis, and to which Robert Boyd, his brother, affixed his seal. Thomas Fleming, late Earl of Wigton, granted to him a pension of twelve marks sterling, till the said Earl, or his heirs, should infeft the said William or his heirs heritably in twelve marks worth of land, either in the shire of Dunbarton or in that of Lanark. He was ancestor of the Boyds of Badenheath. A charter was granted by King Robert III. to William Boyd of Badenhach, of the lands of Galvan and Rash, in Renfrewshire.

Reg. Mag. Sig. 58, 104.

Robertson's Index, 117, 147.

3. *Robert*, mentioned in the charter 1372, above quoted, first of the house of Portencross, in Ayrshire.

VII. Sir Thomas Boyd of Kilmarnock, the eldest son, had a remission from Robert, Duke of Albany, governor of Scotland, in 1409, for the slaughter of Neilson of Dalrymple. He married Alice, second daughter and coheir of Sir John Gifford of Yester, by whom he had a son,

Penes Com. de Errol. D.

VIII. Sir Thomas Boyd of Kilmarnock, was one of the hostages for the ransom of King James I. 1424, when his annual revenue was estimated at 500 marks; and dying, 7th July 1432, was buried at Kilmarnock, where is a monument to the memory of him and his wife, Joanna Montgomery. By her, who was daughter of Sir John Montgomery of Ardrossan, he had two sons,

Pinkerton, I. 456.

Crawf. Peer. 242.

1. Sir *Thomas.*

2. *William*, Abbot of Kilwinning, who obtained from King James III. a charter, confirming the grants of the crown to that

* In Robertson's Index, among the missing charters of King Robert I., are five to Robert Boyd, of Duncoll and Clark's lands, in Dalswinton; to Robert Boyd, son of William Boyd, the lands of Duncoll, and the barony of Dalswintoun, and lands of Dulgarthe; to Robert Boyd, of the lands of Glenken; of the five pound land of Trabeache, in Kyle regis; and of the five penny land of Trabreche, in Kyle. Also a charter of David II. to John Boyd, of the lands of Guaylistoun, in Galloway, forfeited by John Gualstoun. Rob. Ind. 13, 14, 22, 41.

Kilmarnock. abbey, and erecting the lands thereto belonging into a regality.

IX. Sir THOMAS BOYD of Kilmarnock, the eldest son, having slain Sir Alan Stewart of Derneley, in 1439, Alexander Stewart, brother of Sir Alan, went in pursuit of Sir Thomas Boyd; and, after a severe conflict, killed him at Craignaught hill, in Renfrewshire, 9th July 1439. He had issue,

Pitscottie, 12.

1. *Robert.*

2. Sir *Alexander* Boyd of Duncow, a mirror of chivalry, appointed to superintend the military exercises of King James III. 1466; executed 22d November 1469.

Pinkerton, I. 255, 268.

1. *Janet*, married to John Maxwell of Calderwood.

2. *Margaret*, married to Alexander, Lord Montgomery.

Crawf. Off. St. 313.

X. ROBERT BOYD of Kilmarnock, the eldest son, was, by the favour of King James III., created a peer of parliament, by the title of Lord Boyd, and, in 1459, was one of the commissioners sent to prolong the truce with England, which they concluded for nine years. On the death of James, 1460, Lord Boyd was appointed one of the council of regency, and twice sent ambassador to England, 1464 and 1465. On the death of Bishop Kennedy, in 1466, Lord Boyd introduced his sons, and his brother, Sir Alexander, to the royal favour; and they proceeded to such audacity, that when the King was sitting in the exchequer at Linlithgow, 10th July 1466, they constrained him to proceed with them to Edinburgh, and to remove from his presence those who had been ordered to attend him by the states. Having summoned a parliament, 9th October, Lord Boyd, falling on his knees, was solemnly pardoned by the King; and was appointed governor of the persons of his Majesty and his brothers, and of the royal castles, and afterwards one of the council chosen to arrange the marriages of the royal family. The act of parliament was ratified, by charter under the great seal, 25th October 1466; and by another charter of the same date, Lord Boyd was constituted governor of the kingdom of Scotland till the sovereign came of age.

Mag. Sig. L. vii. No. 91, 92.

The supreme power of Scotland was now vested in the hands of Lord Boyd, who brought about a marriage betwixt Mary, eldest sister of the King, and his son, Thomas, who was created Earl of Arran. Lord Boyd was constituted great chamberlain of Scotland, for life, 25th August 1467. His power, however, was of short duration; the mind of the King being alienated from the Boyds, in 1469, when Lord Boyd had recourse to arms, but his followers disbanded; he fled to England, and died the next year at Alnwick; his brother, Sir Alexander, was taken and beheaded, 22d November 1469, on the castle-hill of Edinburgh. The estates and honours of the family were forfeited.

Kilmarnock. Pinkerton, II. 258.

Lord Boyd married, Mariota, daughter of Sir Robert Maxwell of Calderwood, by whom he had issue,

1. *Thomas*, Earl of Arran.

2. *Alexander*.

3. *Archibald*, first of the Boyds of Bonshaw.

1. *Elisabeth*, married to Archibald, fifth Earl of Angus, and had issue. She had a charter of the lordship of Abernethy, 21st May 1468, wherein she is designed daughter of Robert, Lord Boyd, and wife of Archibald, Earl of Angus.

Mag. Sig. L. vii. No. 39.

2. *Annabella*, married to Sir John Gordon of Lochinvar.

XI. THOMAS, Earl of ARRAN, the eldest son, was, in 1467, married to Mary, eldest daughter of King James II. The island of Arran and other lands were given as the dower of the bride, and erected into an earldom, in order to elevate the station of her husband, by charter, dated 26th April 1467. Thomas Boyd, Earl of Arran, and Mary, his wife, Countess of Arran, sister of the King, had charters, of the same date, of Stewartoun, Tarrinzean, Turnbery, and Risedalemure, in Ayrshire; Meikle Cumray, in Bute; Cavertoun, in Roxburghshire; Teling, in Forfarshire; Polgavy, in Perthshire, and of the Isle of Arran. Thomas Boyd, Earl of Arran, had, of the same date, a charter to him and his heirs, of Kilmarnock, Dalry, Kilbride, Nodisdale, Monfodd, and Le Flat, in Ayrshire; and of Nairstoun, in Lanarkshire on the resignation of his father. The Earl

Pinkerton, I. 258, 269.

Mag. Sig. L. vii. No. 112, 113, 114, 115.

Kilmarnock. of Arran sat in parliament, 16th October 1467 *. Full powers were granted to the Earl of Arran, and other commissioners, in 1468, to visit the courts of England, France, Spain, Denmark, Burgundy, Bretagne, Savoy, and others, that they might select a wife for King James III. A marriage treaty was concluded with Christiern I. of Denmark, who agreed to give his daughter Margaret to James to wife, and with her the islands of Orkney and Zetland, in dowery. Arran proceeded with a noble train to Denmark, in 1469, to bring her home; and, during his absence, the enemies of his family successfully undermined the Boyds in the King's favour. When Arran arrived in Leith Roads with the royal bride, in July 1469, his wife hastened on board to inform him of the alienation of the King's mind towards him; and they fled to Denmark. James found means to have his sister sent back to Scotland; and her unfortunate husband wandered into England and other countries, till he found an early death and an obscure tomb. According to Buchanan, he went from Germany to France and Burgundy, and died at Antwerp, where a magnificent monument was erected to his memory, by Charles the Bold, Duke of Burgundy. He was in England, in 1470 or 1472, as appears from the Paston Letters, published by Sir John Fenn, wherein Mr Paston desires his brother, Sir John, to recommend him, in his most humble wise unto the good lordship of the most courteous, gentlest, wisest, kindest, most companionable, freest, largest, and most bounteous knight, my Lord, the Earl of Arran, which hath married the King's sister of Scotland. Paston proceeds to stile him, a light, clever, well spoken, fair archer; devoutest, most perfect, and truest to his lady, of knights; and adds, that he lodged at the George, Lombard Street. The widow of Arran was married, in 1474, to James, Lord Hamilton, and had two charters, dated 14th October 1482, of the liferent of all the lands which had belonged to Robert, Lord Boyd, and Thomas Boyd, his son. By her first husband she had a son,

Mag. Sig. L. x. No. 34, 35.

James;—and a daughter,

Lady *Grizel*, married, first, to Alexander, fourth Lord Forbes; secondly, to David, first Earl of Cassillis, without issue.

Kilmarnock.

XII. JAMES, only son of Thomas, Earl of Arran, was restored to the property of the family, by two charters, dated 14th October 1482, to his mother, in liferent, and to him, in fee, of the lands of Kilmarnock, Dalry, Kilbride, Noddisdaill, Muirfoid, Rivisdailmure, Railstoun, Flatt, Gandhill, Warnokland, Ormisbewch, Dollywra, Pottertoun, Dryrig, Corshill, half of Robertland, in Ayrshire; Telyng, and Brechty, in Forfarshire; Cavertoun, in Roxburghshire; Naristoun, in Lanarkshire, and Polgavy, in Perthshire. He died in 1484. According to Robert Boyd of Trochrig, In ipso adolescentis flore periit inimicorum insidiis circumventus.

Penes Com. de Errol. D.

MS. in Bibl. Jurid.

XI. ALEXANDER BOYD, second son of Robert, Lord Boyd, had charters of the lands of Ralestoun, in the barony of Kilmarnock, 30th November 1492; of Bordland, 1494, wherein he is designed filius Roberti, quondam Domini Boyd; and he was made bailie and chamberlain of Kilmarnock for the crown, 1505. He married a daughter of Sir Robert Colvill of Ochiltree, by whom he had issue *;

Mag. Sig. L. xiii. No. 24.

Crawf. Off. St. 317.

1. *Robert.*

2. *Thomas*, ancestor of the Boyds of Pitcon. He had a charter of the lands of Lin, in the lordship of Kilmarnock, wherein he is designed brother-german of Robert Boyd in Kilmarnock, 15th May 1532.

Crawf. Peer. 244. Mag. Sig. L. xxiv. No. 228.

3. *Adam*, ancestor of the Boyds of Pinkill and Trochrig.

XII. ROBERT BOYD, the eldest son, had charters to Robert Boyd, olim de Kilmarnock, and Helen Somerville, his wife, of the King's lands of Chapelton, and lands and castle of Dundonald, 1st June 1537. According to Crawford, he was restored to the title of Lord Boyd, 1536, and had a

L. xxvi. No. 83, 84.

Crawf. Peer. 244.

* Carmichael's Tracts, 48; where the Earl of Arran is stiled Constabularius Scotiæ; but that office was then, and still is, hereditary in the Errol family.

* There were three sons more. Exanimi plane virilis fœmina Colvilliorum phylarchi filia sex filios suscepit, viros acerrimos et manus juxta consilioque promptissimos. R. Boyd, MS. in Bibl. Jurid.

Kilmarnock. Robertson, II. 189.

grant from King James V., whom he faithfully served at home and abroad, of the lordship of Kilmarnock, 20th May 1536, [qu.?] He was served heir of James Boyd, his father's brother's son, in the lands and baronies of Kilmarnock, Dalry, Kilbride, &c. 11th March 1544. He had a confirmation from Queen Mary, of all the estates, honours, and dignities that belonged to the deceased Robert, Lord Boyd, his grandfather, with a novodamus, 1549. By Helen, his wife, daughter of Sir John Somerville of Cambusnethan, he had a son,

Robert, fourth Lord Boyd;—and a daughter,

Margaret, married to John Montgomery of Lainshaw.

XIII. ROBERT, fourth Lord BOYD, the only son, had charters to Robert Boyd, son and heir of Robert Boyd of Kilmarnock, of the lordship of Kilmarnock, &c. on his father's resignation, 6th September 1545; and to Robert Boyd of Glin, and Margaret Colquhoun, his wife, of Balindoran, in Stirlingshire, 18th February 1546-7. He entered into the association to support the cause of Queen Mary, at Hamilton, 8th May 1568; was much trusted by her Majesty, being one of the commissioners, on her part, at York and Westminster, and admitted into her most secret councils. When her affairs appeared desperate, Lord Boyd joined the party of the Regent Lennox, 1571, and had a remission, under the great seal, to Robert, Lord Boyd, Thomas, Master of Boyd, and Robert Boyd of Badenheath, his sons, for their fighting against the King at the battle of Langside, and all other crimes, dated 8th September 1571. Robert, Lord Boyd, had charters of the offices of bailiary and justiciary of the regality of Glasgow, 2d January 1573-4; of Portincross and Ardneill, 12th March 1573-4; and of Giffartland, 14th September 1577. He was appointed an extraordinary Lord of Session, 24th of October 1573; sat till 8th May 1578; was again appointed, 25th October 1578; held it till 10th December 1583; was, a third time, appointed, 21st June 1586; and resigned his seat on the bench, 4th July 1588. He was one of the commissioners for a treaty with England, 1578, and again in 1586; and he died, 3d January 1589, in the 72d year of his age. He married Margaret, or Mariot, daughter and heiress of Sir John Colquhoun of Glins. A charter was granted to Mariot Colquhoun, wife of Robert, Lord Boyd, by her husband, in liferent, of the lands of Law, 10th February 1548-9; and Robert, Lord Boyd, and Margaret Colquhoun, his wife, had a charter of the lands of Bedlay, Molanys, &c. 10th February 1582-3. She died in February 1601, having had issue,

Mag. Sig. L. xxx. No. 343. L. xxx. No. 120. L. xxxiv. No. 55, 246, 447, 555. Hailes's Catal. Fœdera, V. 803. Kilmarnock. Crawf. Peer. 244. Mag. Sig. L. xxx. No. 426. L. xxxix. No. 666. L. xxx. No. 460. Inq. Ret. in Pub. Arch. Mag. Sig. L. xxxviii. No. 156. Scth. Add. Case, vi. 93. Mag. Sig. L. xli. No. 80. Contr. penes Com. de Errol. D.

1. *Robert*, Master of Boyd, who had a charter of the lands of Auchintuerlie, in Dunbartonshire, 14th October 1550; and died, without issue, soon afterwards.

2. *Thomas*, fifth Lord Boyd.

3. *Robert* Boyd of Badenheath, who was tutor of his nephew, Hugh, fifth Earl of Eglintoun, and died in July 1611. Robert, Lord Boyd, was served heir of him, 20th March 1617.

1. *Egidia*, married to Hugh, fourth Earl of Eglintoun, and was mother of the fifth Earl.

2. *Agnes*, married to Sir John Colquhoun of Luss.

3. *Christian*, married to Sir James Hamilton of Evandale, and had issue.

4. *Elisabeth*, married to John Cunningham of Drumquhassell.

XIV. THOMAS, fifth Lord BOYD, the eldest surviving son, joined with his father in the association on behalf of Queen Mary, at Hamilton, 8th May 1568; and was engaged in her army at the battle of Langside. He made a resignation of his whole estate, in the hands of King James VI., from whom he obtained a charter, dated 12th January 1591-2, erecting the same into a free lordship and barony, to be called the lordship and barony of Kilmarnock, to himself in liferent, and Robert, Master of Boyd, his son, in fee, and the heirs male of his body, with a long substitution of heirs male to the exclusion of heirs general. He had a charter of the lands of Bedlay, 8th March 1595-6; and died in June 1611. He married Margaret, second daughter of Sir Matthew Campbell of Loudoun, and by her had issue,

1. *Robert*, Master of Boyd.

Kilmarnock. Contr. penes Com. de Errol. D.

2. Sir *Thomas* Boyd of Bedlay.

3. *Adam*, who married Margaret, sister of Robert Galbraith of Kilcroich.

4. *John.*

1. *Marion*, married to James, first Earl of Abercorn.

2. *Isabel*, married to John Blair of Blair.

3. *Agnes*, married to Sir George Elphinstone of Blythswood.

XV. ROBERT, Master of BOYD, the eldest son, died before his father, in May 1597. He married Lady Jean Ker, eldest daughter of Mark, second Earl of Lothian; and by her, who married, secondly, David, tenth Earl of Crawford, had two sons,

1. *Robert*, sixth Lord Boyd.

2. *James*, eighth Lord Boyd.

XVI. ROBERT, sixth Lord BOYD, the eldest son, born in November 1595, was served heir male in general of his father, 3d February 1602; studied at Saumur under his cousin, Robert Boyd of Trochrig; was served heir male in special of his father, in the barony of Kilmarnock, &c. 12th October 1614; heir of Thomas, Lord Boyd, his grandfather, in lands in the counties of Ayr, Dunbarton, Lanark, and Stirling, 20th March 1617, also heir of *James*, Lord Boyd, the son of the uncle of Robert, Lord Boyd, his great-grandfather's father. He had charters of the barony of Grugar, in Ayrshire, 30th March 1616, of Medros, in the counties of Ayr and Lanark, 16th October 1619, of Gavin and Risk, in Renfrewshire, 9th June 1620, and of the lordship of Kilmarnock, to him and Robert, Master of Boyd, his son, 29th March 1621; and died in August 1628, æta. 33. He married, first, Margaret, daughter of Robert Montgomery of Giffen, relict of Hugh, fifth Earl of Eglintoun, without issue; secondly, Lady Christian Hamilton, eldest daughter of Thomas, first Earl of Haddington, relict of Robert, tenth Lord Lindsay of Byres, by whom he had a son,

Robert, seventh Lord Boyd;—and six daughters,

1. *Helen*, who died unmarried. Her five sisters were served heirs portioners of her, 17th April 1647.

Inq. Ret. iv. 136.

MS. in Bibl. Jurid.

Inq. Ret. vi. 18, 195, vii. 68.

Mag. Sig. L. xlviii. No. 32. L. xlix. No. 294. L. l. No. 311.

Inq. Ret. xix. 31.

2. *Agnes*, married to Sir George Morison of Dairsie, in Fife. Kilmarnock.

3. *Jean*, married to Sir Alexander Morison of Prestongrange, in the county of Haddington, and had issue. The baptisms of two of her children are entered in the Register of Prestonpans, Thomas, 23d October 1659, and William, 19th April 1663.

4. *Marion*, married to Sir James Dundas of Arnistoun.

5. *Isabel*, married, first, to John Sinclair of Stevenston; secondly, to John Grier, (Grierson) fiar of Lag, whose wife she was in 1647, when she was served heir of her sister Helen.

6. *Christian*, married to Sir William Scott of Harden.

XVII. ROBERT, seventh Lord BOYD, the only son, was served heir of his father, 9th May 1629; and died of a fever, 17th November 1640, aged about 24, without issue, by his wife, Lady ANNE Fleming, second daughter of John, second Earl of Wigton, who afterwards married George, second Earl of Dalhousie. His uncle,

Inq. Ret. x. 226.

Ball. Ann. MS.

Contr. penes Com. de Errol.

XVI. JAMES, eighth Lord BOYD, second son of Robert, Master of Boyd, was served heir male of Robert, Lord Boyd, the son of his brother, 10th April 1641. He was a steady royalist, joined the association at Cumbernauld in favour of Charles I., in January 1641, was fined L.1500 by Cromwell's act of grace and pardon, 1654; and died in March the same year.

Inq. Ret. xvi. 181.

Guthrie's Memoirs, 89.

He married Catherine, daughter of John Craik, of the city of York, Esq. by whom he had a son,

William, ninth Lord Boyd;—and a daughter,

Eva, married to Sir David Cunningham of Robertland.

XVII. WILLIAM, ninth Lord BOYD, was served heir male of his father, in the barony of Kilmarnock, &c. 28th February 1655; was created Earl of Kilmarnock, by patent, to him and his heirs male for ever, 7th August 1661; had a charter of the barony of Kilmarnock, 30th July 1672; and died in March 1692. His Lordship married, 25th April 1661, Lady Jean Cun-

Inq. Ret. xxii. 54.

Crawf. Peer. 245.

Lamont's Annals, MS.

Kilmarnock. ningham, eldest daughter of William, ninth Earl of Glencairn, high chancellor of Scotland, and had issue,

1. *William*, second Earl of Kilmarnock.
2. Hon. Captain *James* Boyd.
3. Hon. Captain *Charles* Boyd, died at Namur, in September 1737.
4. Hon. *Robert* Boyd.

1. Lady *Mary*, married to Sir Alexander Maclean.
2. Lady *Catherine*, married to Alexander Porterfield of Porterfield.

XVIII. WILLIAM, second Earl of KILMARNOCK, succeeded his father in March 1692, and did not enjoy the title more than two months, dying 20th May same year. He married Lettice, daughter of Thomas Boyd, of the city of Dublin, merchant, and had two sons,

Crawf. Peer. 245.

1. *William*, third Earl of Kilmarnock.
2. Hon. *Thomas* Boyd, born 13th September 1689; became a member of the Faculty of Advocates, 1710; married to Eleonora, daughter of Sir Thomas Nicolson of Carnock, in the county of Stirling, baronet. She married, secondly, John Crawford of Crawfordland.

Edin. Reg.

XIX. WILLIAM, third Earl of KILMARNOCK, the eldest son, was served heir of his father, 20th July 1699; took the oaths and his seat in parliament, 6th July 1705, steadily supporting the treaty of union. When the rebellion broke out, 1715, the zeal of the inhabitants of Kilmarnock, in arming for the support of government, was mightily excited and advanced by the encouragement, direction, and example of his Lordship, whose attachment to his Majesty's interest, and zeal for his person and government, as well as his exertions in the King's service, merited particular notice. At the general rendezvous of the fencible men of Cunningham, at Irvine, 22d August 1715, his Lordship came at the head of 500 of his own men, well appointed, and expert at the exercise of arms, who made the best figure there. His son, Lord Boyd, though but eleven years of age, appeared in arms. Lord Kilmarnock, in consequence of orders from the Duke of Argyll, marched from Glasgow with 500 of the Ayrshire volunteers to garrison the houses of Gartartan, Drummakill, and Cardross, to prevent the rebels crossing the Forth, which having effected, his Lordship returned to Glasgow. He died in September 1717, having married Eupheme, eldest daughter of William, eleventh Lord Ross, by whom he had a son,

Inq. Ret. in Pub. Arch.

Minutes of Parliament.

Rae's Hist. Rebellion, 182.

Kilmarnock.

XX. WILLIAM, fourth Earl of KILMARNOCK, who joined the Chevalier de St George, at Edinburgh, after the battle of Preston, in October 1745; surrendered himself at Culloden, in April 1746; was carried to London, convicted of high treason, executed on Tower-hill, 18th August 1746, in the 42d year of his age, and his estates and honours forfeited to the crown.

His Lordship married Lady Anne Livingstone, only surviving child and sole heiress of James, fifth Earl of Linlithgow and Calendar, by Lady Margaret Hay, second daughter of John, twelfth Earl of Errol; and by her, who died at Kilmarnock, 16th September 1747, had three sons,

1. *James*, Lord Boyd, who succeeded as fourteenth Earl of Errol.
2. Hon. *Charles* Boyd.
3. Hon. *William* Boyd, all particularly mentioned under the title Earl of Errol.

CREATIONS.—Lord Boyd of Kilmarnock, 1459, restored after attainder, 1536. Earl of Kilmarnock, 7th August 1661, to the first Earl and his heirs male whatsoever.

ARMS.—Azure, a fess cheque, argent, and gules.

CREST.—A dexter hand, couped at the wrist, erect, pointing with the thumb and two next fingers, the others turning down.

SUPPORTERS.—Two squirrels, proper.

MOTTO.—*Confido.*

LIVINGSTON, VISCOUNT OF KILSYTH.

Kilsyth. I. SIR WILLIAM LIVINGSTON, only son of Sir James Livingston of Calendar, by his second wife, Agnes, daughter of James Douglas of Dalkeith, got from his father the lands of Wester Kilsyth; had a charter from his grandfather, James Douglas of Dalkeith, the King's brother, of some lands near Dalkeith, 29th September 1421, and died 1459. He married Elisabeth, daughter and coheiress of William de Caldcotis, with whom he got the lands of Greden, in Berwickshire. For this marriage a papal dispensation was obtained, 10th November 1421, permitting them to marry, notwithstanding their being within the third degree of consanguinity. They had two sons,

Mag. Sig. L. iii. No. 73.

A. Stuart, 433.

1. *Edward.*

2. Sir *Henry* Livingston, preceptor of Torphichen.

Crawf. Peer. 240. II. EDWARD LIVINGSTON of Kilsyth, the eldest son, was served heir of his father, 23d April 1460. His son,

Ibid. III. WILLIAM LIVINGSTON of Kilsyth, married Mary, daughter of Thomas, Lord Erskine, and had three sons,

1. *William.*

2. *James* Livingston of Inches, ancestor of the Viscount of Teviot.

3. *Robert* Livingston of Baldoran, who had a charter of these lands, in the county of Linlithgow, to Robert Livingston, son of the deceased William Livingston of Kilsyth, 6th October 1545.

Mag. Sig. L. xxix. No. 280.

L. xxi. No. 248. IV. WILLIAM LIVINGSTON of Kilsyth, the eldest son, had a charter of the lands of Wester Kilsyth, in Stirlingshire, Graden and Daruchester, in Berwickshire, to him and William Livingston, his grandson and heir apparent, and the heirs male of his body; which failing, to Alexander Livingston, his second son, dated 27th February 1539-40. By Margaret Graham, his wife, he had two sons,

1. *William.*

2. *Alexander.*

Kilsyth. Crawf. Peer. 241. V. WILLIAM LIVINGSTON, the eldest son, was killed at the battle of Flodden, 9th September 1513, leaving, by his wife, Janet Bruce, daughter of the Laird of Airth, a son,

VI. WILLIAM LIVINGSTON of Kilsyth, who was served heir of his father, 3d January 1514. He had a charter to "William Livingston, grandson and heir and "successor of the deceased William Li- "vingston of Kilsyth," of the lands of Auchinhoway, &c. in the earldom of Lennox, 7th October 1545; another to William Livingston of Kilsyth, of Fennethauch, in the barony of Kilsyth, 25th March 1553; and a third of the barony of Wester Kilsyth, 19th June 1563, to him and William, his son, and the heirs male of his body; remainder to Alexander, his uncle, and the heirs male of his body. He married Mary, daughter of Sir Duncan Forrester of Garden, comptroller of the household, by whom he had a son,

Mag. Sig. L. xxix. No. 280. L. xxxi. No. 163. L. xxxii. No. 368.

Sir *William*;—and three daughters,

1. *Elisabeth*, married to Gabriel Cunningham of Craigends.

2. *Isabel*, married to Colin Campbell of Auchinhove.

3. *Margaret*, married, first, to Ninian Bruce of Kinnaird; secondly, to Alexander Baillie of Jerviswood.

Crawf. Peer. 241. VII. Sir WILLIAM LIVINGSTON of Kilsyth, the eldest son, was knighted in 1565, when Darnley was created Duke of Albany, and married Lady Christian Graham, second daughter of John, fourth Earl of Menteth, by whom he had a son,

Sir *William*;—and a daughter,

Christian, married to John Lawson of Boghall.

Spottiswoode, 467. Hailes's Catal. VIII. Sir WILLIAM LIVINGSTON of Kilsyth, the only son, a man of parts and learning, attended the Duke of Lennox in his embassy to France in July 1601; was appointed one of the Lords of Session, 6th June 1609; sworn a privy-councillor, 13th

Kilsyth. May 1613; and was, the same day, constituted vice-chamberlain of Scotland. He had charters of the lands of Kincaid and Birdistoun, and of the barony of Herbertshire, 22d November 1612; of the barony of Campsie, 3d July 1613; of the lands of Duntreath, to him and William Livingston, his grandson, 16th February 1615, and of the barony of Kilsyth, 4th October 1620; and he died in 1627.

Mag. Sig. L. xlvii. No. 145, 188, 189, 254. L. xlix. No. 218.

He married, first, Antonia de Board, a French lady of quality, by whom he had a daughter,

Christian, married to George, first Lord Forrester;—and a son,

Sir *William* Livingston of Darnchester, knighted at the baptism of Prince Henry, 1595; he died before his father, having married Lady Anne Fleming, second daughter of John, first Earl of Wigton, by whom he had a son, William Livingston of Kilsyth, who was served heir male of his grandfather, 31st October 1627; and died 13th June 1633. He married Margaret, only daughter of George, first Lord Ramsay of Dalhousie, by whom he had William Livingston of Kilsyth, who was served heir male of his father, 19th April 1634; and died in his minority, January 1647, unmarried; and two daughters: Margaret, married to Andrew Rutherford of Hunthill; and Christian, married to James, first Viscount of Oxenford.

Inq. Ret. ix. 276.

Ib. xiii. 246.

He married, secondly, Margaret, daughter of Sir John Houston of Houston, and by her had a son,

Sir *James* Livingston of Barncloich;—and a daughter,

Margaret, married to Robert Montgomery of Haslehead, in Ayrshire.

IX. Sir James Livingston of Barncloich, born 25th June 1616; was served heir male of William Livingston, the grandson of his brother, 23d April 1647. He was a great loyalist; offered to keep out his castle of Kilsyth against Cromwell, for which he got a letter of thanks from King Charles II., dated 7th October 1650. By Cromwell's act of grace and pardon, 1654, a fine of L. 1500 was imposed on Sir James Livingston, who, on the restoration, was, in consideration of his great merit, and sufferings in the royal cause, raised to the dignity of the peerage, by the title of Viscount of Kilsyth and Lord Campsie, by patent, dated 17th August 1661; but he did not enjoy the honours more than a few days, dying at London, on the 7th of September 1661, in the 46th year of his age. He married Eupheme, daughter of Sir David Cunningham of Robertland, and had issue,

Edin. Reg.

Inq. Ret. xix. 35.

Kilsyth.

Mag. Sig. L. lx. No. 202.

1. *James*, second Viscount of Kilsyth.
2. *William*, third Viscount of Kilsyth.

Daughter, Hon. *Elisabeth* Livingston, married to the Hon. Major-General Robert Montgomery, fifth son of Alexander, sixth Earl of Eglintoun, and had issue,

2. Hon. *Anne* Livingston, born 12th January 1648; died unmarried.

Edin. Reg.

X. James, second Viscount of Kilsyth, was served heir of his father, 9th June 1664, being then of lawful age, and died, unmarried, in 1706. His brother,

Ibid.

X. William, third Viscount of Kilsyth, born 29th March 1650; took the oaths and his seat in parliament, 3d October 1706; opposed the treaty of union; was chosen one of the sixteen representatives of the Scotish peerage, at the general election, 1710; and rechosen 1713. Engaging in the rebellion, 1715, he was attainted of high treason, by stat. 1 Geo. I. c. 45, and his estate of L. 864 per annum and honours forfeited to the crown. He died at Rome, 12th January 1733. His Lordship married, first, Jean, third daughter of William, Lord Cochrane, eldest son of William, Earl of Dundonald, relict of John, Viscount of Dundee, by whom he had a son, William, who died an infant; secondly, Barbara, daughter of Macdougal of Makerstoun, in the county of Roxburgh, and by her had a daughter, Barbara, who died young. In 1795, a leaden coffin in the church of Kilsyth was opened, containing the bodies of a lady, supposed to be the first wife of Lord Kilsyth, and her infant son, in perfect preservation; the lady bore evident marks of a violent death, and it is said was killed by the fall of a house in Holland.

Creations.—Viscount of Kilsyth and Lord Campsie, 17th August 1661.

Kilsyth.

ARMS.—Argent, three gillyflowers, slipped, gules, within a double tressure, flowered and counterflowered with fleurs-de-lis, vert.

CREST.—A demi-savage wreathed about the temples and waist with laurel.

SUPPORTERS.—Two lions, proper.

MOTTO.—*Spe expecto.*

Kilsyth.

SETON, VISCOUNT OF KINGSTON.

Kingston.

Hay's Collections, Adv. Lib. III. by the Viscount of Kingston.

THE Hon. ALEXANDER SETON, second son of George, second Earl of Wintoun, born 1621, when King Charles I. visited Seton, in 1633, welcomed him with a Latin oration, at the iron gate of that place, where his majesty sat in state with the nobility sitting around him, being attended with his schoolmaster, a pedagogue, and other four masters of arts, all grave and learned men, clothed in black cloth and cloaks lined through with velvet, the ground being covered a great way from the throne with a carpet, when he did deliver his oration boldly, with a gesture suitable to the purpose, for which he had the applause of his majesty and all present; and before he rose off his knee, his Majesty did him the honour to confer the order of knighthood on him, and said to him, Now, Sir Alexander, see that this does not spoil your school, by the appearance you will be a scholar. Sir Alexander boldly answered, No; please your Majesty. After this he returned to school, and studied with more alacrity and assiduity than formerly, by reason of his promise to the King. He was sent to France, *1636*, and lived two years at the college of La Fleche; then passed to Italy, where he staid a year; embarked at Leghorn; landed at Alicant; went to Madrid, staid seven months; embarked at St Sebastian; landed at Rochelle; and after travelling all summer through the greatest part of France, came to England 1640. To avoid subscribing the covenant, 1643, he went to Holland, and continued there eight months; on his return, refusing to subscribe, he was excommunicated in Tranent church, 8th October 1644; so he immediately passed over into France, where he attended on Prince Charles till 1647, when he returned to London. He was employed in several negotiations of importance by King Charles II.; and discharging his trust to his Majesty's satisfaction, he created Sir Alexander (the first after his coronation) Viscount of Kingston, with limitation to the heirs male of his body, 6th February 1650.

Kingston.

His Lordship married, first, Jean, daughter of Sir George Fletcher, knight, by whom he had one daughter,

Hon. *Jean* Seton, married to James, third Lord Mordington.

The Viscount married, secondly, Elisabeth, daughter of Sir Archibald Douglas of Whittinghame, in the county of Haddington, heiress of her brother, Archibald, who died 28th November 1660, and to whom she was served heir, 15th May 1662. They had issue,

Inq. Ret. xxvii. 192.

1. *Charles*, Master of Kingston, who died before his father, unmarried.

2. Hon. *George* Seton, who died a young man, after he had been some years a captain in Douglas's regiment in France.

3. Hon. *Alexander* Seton, a great scholar, who died a young man.

4. *Archibald*, second Viscount of Kingston.

5. Hon. *John* Seton, who died at nine years of age.

6. *James*, third Viscount of Kingston.

Kingston.

1. Hon. *Isabel* Seton, died in her eighth year.

2. Hon. *Barbara* Seton, died in her 16th year.

3. Hon. *Elisabeth* Seton, married to William Hay of Drummelzier, whose posterity is now in possession of Whittinghame.

The Viscount married, thirdly, the Hon. Elisabeth Hamilton, third daughter of John, first Lord Belhaven; fourthly, 3d August 1686, Lady Margaret Douglas, daughter of Archibald, Earl of Angus, sister of James, second Marquis of Douglas, without issue.

Edin. Reg.

II. ARCHIBALD, second Viscount of KINGSTON, was, under the stile of Master of Kingston, served heir of Charles, Master of Kingston, his brother, 9th October 1683, and of Elisabeth Douglas, his mother, 8th September 1684. He died, unmarried, 1714. His brother,

Inq. Ret. in Publ. Arch.

II. JAMES, third Viscount of KINGSTON, was an ensign in the regiment of Scots fuzileers, commanded by Colonel Buchan, about 1687. Engaging in the rebellion, 1715, he was attainted by act of parliament, and his estates and honours forfeited to the crown. He married Lady Anne Lindsay, eldest daughter of Colin, third Earl of Balcarres, relict of Alexander, fifth Earl of Kellie; but by her, who died at Edinburgh, 4th February 1743, had no issue. His Lordship died about 1726, and in him terminated the male line of the body of Alexander, first Viscount of Kingston.

Kingston. St. 1 Geo. I. c. 43.

CREATION.—Viscount of Kingston, 6th February 1650.

ARMS.—Quarterly: 1st and 4th, Or, three crescents within a double tressure, flowered and counterflowered, gules; 2d and 3d, Argent, a dragon, vert.

SUPPORTERS.—Two blackamoors armed with darts.

CREST.—A crescent, flaming.

MOTTO.—*Habet et suum.*

KINNAIRD, LORD KINNAIRD.

Kinnaird.

THIS surname is local, and was assumed from the barony of Kinnaird, in Perthshire.

I. RADULPHUS, dictus Rufus, or the Red, probably from the colour of his hair, had a charter from King William the Lion, of the barony of Kinnaird. He had a son,

Carta penes D. Kinnaird. D.

Richard;—and a daughter,

Isabel, married to John, son of Richard of Innertuyl; Richard, her brother, granted to her the lands of Dunort in free marriage.

Ibidem. D.

II. RICHARD DE KINNAIRD, the son and heir, reserved to himself the superiority of the lands of Dunort, when he gave the property to his sister. This appears from a charter of William the Lion. His son,

Kinnaird.

Carta penes D. Kinnaird. D.

III. RADULPHUS DE KINNAIRD, granted a charter of confirmation to Richard, son of John of Innertuyl, of the lands of Dunort, which Richard, his father, gave in free marriage with his sister Isabel. One of the witnesses is Galfrid, Bishop of Dunkeld, who died 1249. He had two sons,

Ibidem. D.

1. *Richard.*

2. *Thomas* de Kinnaird, witness in a

Kinnaird.

donation to the monastery of Aberbrothwick, by Hugo de Arbuthnot, 1282.

Chartul of Arbroath. D.

Prynne, III. 654. D. Fœdera, II. 1025. D.

IV. RICARDUS DE KINNAIRD, was one of the Scotish barons who swore fealty to King Edward I. 1296, and is designed Ricardus de Kinnaird, in vicecomitatu de Perth. He is mentioned in Rymer's Fœdera, 1304. His son,

Prynne, III. 663. D.

V. RADULPHUS DE KINNAIRD, also swore fealty to King Edward I. 1296. His son,

Macfarl. Coll. I. 402.

VI. RICHARD DE KINNAIRD*, in a charter of resignation of Robert de Cochrane de eodem, is designed Ricardus de Kinnaird, dominus ejusdem, 1368. His son,

Penes D. Kinnaird. D.

VII. RICHARD DE KINNAIRD, had a charter of the lands of Kinnaird, 7th December 1379; and another, confirming a

Reg. Mag. Sig. 151.

grant by Thomas de Haya, constable of Scotland, to Richard de Kynnard, of the lands of Chethynrawach and Kynnynmond, in the barony of Slains, 30th September 1379. He married Elisabeth, daughter of Sir John Drummond of Stobhall, by whom he had two sons,

Chart. in Arch. Jac. II. D.

1. *Thomas*, who married Egidia, daughter and heiress of Walter Murray of Cowbine, with whom he got that barony, and had two sons: Alan, ancestor of the Kinnairds of that ilk; and Walter, [qu. Thomas,?] ancestor of the Kinnairds of Cowbine, both extinct. Alan de Kynnard, son and heir of the deceased Thomas de Kynnard, had a charter of the barony of Kynnard, 7th May 1440; and, on the same day, he and Egidia de Moravia of Colbin, had a charter of the barony of Kinnard, in Perthshire; Colbin, in the sheriffdom of Forres; Badfodalis, in Aberdeenshire; Ascent, in Inverness-shire; on the resignation of Egidia de Moravia, the mother of Alan. Thomas, brother-german of Alan, witnessed a charter, 1450.

Mag. Sig. L. iii. No. 174. L. iv. No. 16, 26.

* Alexander Fraser got a charter, from King Robert Bruce, of the barony of Kinnarde, in Aberdeenshire, which Thomas Kinnarde renounced. Robertson's Index, 17. Duthac de Carnegy had a charter, from Robert, Duke of Albany, of half of the town of Kynnard, in Forfarshire, on the resignation of Mariot de Kynnard. Ib. 141, 165.

2. *Reginald.*

Kinnaird.

VIII. REGINALD DE KINNAIRD, the second son, married Marjory, daughter and heiress of Sir John Kirkaldy of Inchture, in Perthshire, with whom he got that estate, and had a charter, from King Robert III., dated 28th January 1399, to Reginald de Kinnaird, son of the deceased Sir Richard Kinnaird, and Marjory Kirkaldy, daughter and heiress of the deceased Sir John Kirkaldy, the said Reginald's future spouse, of all the lands which the said Marjory was possessed of in the barony of Inchture. He had a son,

Robertson's Index, 145.

Penes D. Kinnaird. D.

IX. WALTER KINNAIRD of Inchture, who made a resignation of the lands of Inchture, Polgavy, &c. to his dearest grandson, John Kinnaird, 17th October 1486. His son,

In Archives, Jac. III. et penes D. Kinnaird. D.

X. REGINALD DE KINNAIRD, died before his father, leaving a son,

XI. JOHN KINNAIRD of Inchture, who, on the resignation of his grandfather, already mentioned, had a charter of these lands, 28th October 1486; and was one of the inquest on the service of Andrew, Lord Gray, *1505*. His son,

Mag. Sig. L. *. No. 71. Penes D. Gray. D.

XII. GEORGE KINNAIRD of Inchture, had a charter of the lands of Inchture, 1511. He and his son, George, are witnesses to a charter of Andrew Kinnaird of Kinnaird, to William, Lord Ruthven, 1514. He had two sons,

In Pub. Arch. D. Ibid. and Haddington's Collections. D

1. *George*, who died before him.
2. *Patrick*.

XIII. PATRICK KINNAIRD of Inch*ture*, his son and successor, got a charter to him and Margaret Hepburn, his wife, of the King's lands of Inchture, 2d October 1542. It is said he married Margaret, daughter of Moncur of Moncur; and it appears, from the above charter, that he also married Margaret Hepburn. He had a son,

Mag. Sig. L. xxviii. No. 328.

Patrick;—and a daughter,

Elisabeth, married to William Ogilvy of Inchmartin.

Kinnaird.

XIV. PATRICK KINNAIRD of Inchture, the only son, succeeded his father, had a charter of the barony of Inchture, 1565, and of the lands of Laik, 1570. He married Eupheme, daughter of James Gray of Ballegarno, by whom he had a son,

Inq. Ret. i. 160.

XV. PATRICK KINNAIRD of Inchture, who was served heir of Patrick Kinnaird of Inchture, his father, in the barony of Inchesture, 19th March 1581 *. He was killed by William Ogilvy, son of Sir Patrick Ogilvy of Inchmartin, in 1590; a remission was granted to the said William, for his concern in that slaughter, under the great seal, 8th December 1594. He married Eupheme, daughter and coheiress of Gilbert Gray of Balindoran, son of Patrick, sixth Lord Gray, and had a son,

In Pub. Arch. D.

Patrick;—and a daughter,

Margaret, married to Sir Andrew Hay of Killour, by whom she had John, twelfth Earl of Errol.

Inq. Ret. iii. 139. In Pub. Arch. D.

XVI. PATRICK KINNAIRD of Inchture, born 1580, was served heir of Patrick, his father, 10th October 1604; had charters of Millhill, 1615; Drimmie, and half of Ballegarno, 1624; Polgavie, 1630; and several other lands, 1643. He was father of

XVII. Sir GEORGE KINNAIRD of Inchture, who having testified his loyalty to the crown during Cromwell's usurpation, was knighted 1661; represented the county of Perth in parliament; was sworn a privy-councillor; and on the 28th of December 1682, raised to the dignity of the peerage, by the title of Lord Kinnaird of Inchture, with limitation to the heirs male of his body. His Lordship died 29th December 1689, having married Margaret, daughter of James Crichton of Ruthven, by whom he had six sons,

Crawf. Peer. 248.

1. *Patrick*, second Lord Kinnaird.

2. Hon. *John* Kinnaird, died without issue.

3. Hon. *James* Kinnaird, died without issue.

4. Hon. *Alexander* Kinnaird, died without issue. Kinnaird.

5. Hon. *Charles* Kinnaird, a man of great learning and strict honour, died without issue.

6. Hon. *George* Kinnaird.

XVIII. PATRICK, second Lord KINNAIRD, succeeded his father 1689; and died 18th February 1701. He married the Hon. Anne Fraser, born 12th March 1661, eldest daughter of Hugh, ninth Lord Lovat, and had issue,

1. *George*, Master of Kinnaird, who died without issue, 27th August 1698.

2. *Patrick*, third Lord Kinnaird.

3. *Charles*, fifth Lord Kinnaird.

Daughter, Hon. *Anne* Kinnaird, married to Thomas Drummond of Logiealmond, in the county of Perth.

XIX. PATRICK, third Lord KINNAIRD, succeeded his father 1701; opposed the treaty of union in parliament, and died in March 1715. His Lordship married, first, Lady Henriet Murray, eldest daughter of Lord Charles Murray, first Earl of Dunmore, by whom he had no issue; secondly, Lady Elisabeth Lyon, Dowager Countess of Aboyne, second daughter of Patrick, third Earl of Strathmore and Kinghorn. Her first husband was Charles, second Earl of Aboyne, who died 1705. She had a jointure of 5000 marks from his estate. After Lord Kinnaird's death, she married, thirdly, Captain Alexander Grant of Grantsfield. By her second husband she had an only son,

XX. CHARLES, fourth Lord KINNAIRD, who succeeded his father, 1715; but dying without issue, in September 1728, the title devolved on his uncle,

XIX. CHARLES, fifth Lord KINNAIRD, third son of the second Lord, who died at Drimmie, 16th July 1758. He married, about 1729, Magdalene, daughter of William Brown, merchant in Edinburgh. After she had been eighteen years married, without children, she left Drimmie House, 21st September 1747; and her husband advertised his friends that she was delivered of twins, Patrick and Charles, 23d Sep-

* Patrick Kinnaird was served heir of *John* Kinnaird of Inchture, his father, in the barony of Inchesture, 26th April 1581. Inq. Ret. i. 162.

Kinnaird. tember. Mr Kinnaird, the next heir, brought an action in the Commissary Court, concluding that he ought to be allowed to prove that the pretended delivery by Lady Kinnaird is a forgery, and that the children are supposititious, and incapable to succeed to the honours, dignity, and estate of Lord Kinnaird, and not born of her body. Lord and Lady Kinnaird refused to answer to the interrogatories, directed to be put to them by the commissaries, who, 1st January 1748, decerned Lord Kinnaird to make payment to Mr Kinnaird of the sum of L. 600 sterling, for not appearing personally in court. This affair was terminated by Lord Kinnaird's declaring that both the children were dead.

XVIII. The Hon. GEORGE KINNAIRD, sixth and youngest son of George, first Lord Kinnaird, was father of

XIX. GEORGE KINNAIRD, who married Lady Helen Gordon, eldest daughter of Charles, second Earl of Aboyne, by Lady Elisabeth Lyon, above mentioned, and had a son,

XX. CHARLES, sixth Lord KINNAIRD, who succeeded to the title, 1758, and died at Drimmie, 2d August 1767. His Lordship married Barbara, born 28th July 1723, eldest daughter of Sir James Johnstone of Westerhall, in the county of Dumfries, baronet, M. P.; and by her, who died at Edinburgh 21st October 1765, æta. 43, had several children. Some of the sons died young: the survivors were,

1. *George*, seventh Lord Kinnaird.

2. Hon. *Patrick* Kinnaird, in the service of the East India Company, died in Bengal, July 1771.

1. Hon. *Elisabeth* Kinnaird, died at Edinburgh, 13th September 1769, unmarried.

2. Hon. *Helen* Kinnaird, married to the Rev. Edward Dana, and died at Shrewsbury, 21st April 1795, leaving issue.

3. Hon. *Margaret* Kinnaird, married, 3d July 1779, to Thomas Wiggans, Esq. M. P. for Oakhampton, who died 18th January 1785; and she died 28th June 1800.

XXI. GEORGE, seventh Lord KINNAIRD, succeeded his father 1767; was elected one of the sixteen representatives of the Scotish peerage, on a vacancy, 28th March 1787, having 26 votes to Lord Cathcart's 25. His Lordship died at Perth, 11th October 1805. He married, 23d July 1777, Elisabeth, daughter of Griffin Ransom of New Palace-Yard, Westminster, banker in London; and by her, who was so deeply affected with his loss, that she survived him only ten days, dying at Balindean, 21st October 1805, had issue, Kinnaird.

1. Hon. *George William Ransom* Kinnaird, born 8th May 1778; died an infant.

2. *Charles*, eighth Lord Kinnaird.

3. Hon. *Henry* Kinnaird, born 3d September 1782; died 21st July 1786.

4. Hon. *Edward Griffin* Kinnaird, born 2d January 1784; died at Ealing, 26th February 1803, in his 20th year.

5. Hon. *Douglas James William* Kinnaird, born 26th December 1787.

6. Hon. *Frederick John Hay* Kinnaird, born 30th May 1789.

1. Hon. *Eliza* Kinnaird, born 13th May 1781.

2. Hon. *Georgina Mary Anne* Kinnaird, born 25th October 1786.

3. Hon. *Laura Margaretta* Kinnaird, born 6th October 1791; died at Madeira, 29th March 1810.

4. Hon. *Amelia Barbara* Kinnaird, born 5th November 1793; died 9th January 1795.

XXII. CHARLES, eighth Lord KINNAIRD, born 8th April 1780, educated at the Universities of Edinburgh, Cambridge, and Glasgow, was chosen Member of Parliament for Leominster, at the general election, 1802; and distinguished himself in the House of Commons by his opposition to the then administration. His seat became vacated by his succession to the title, 1805, when he was at Vienna. At the general election, 1806, his Lordship was chosen one of the sixteen representatives of the Scotish peerage.

His Lordship married, at London, 8th May 1806, Lady Olivia Letitia Catharine Fitzgerald, born 9th September 1787, youngest daughter of William Robert, second Duke of Leinster, and has issue,

Kinnaird.

1. Hon. *George William Fox* Kinnaird.
2. Hon. *Olivia Cecilia Laura* Kinnaird.
3. Hon. *Frederica Eliza* Kinnaird.
4. Hon. *Graham Hay St Vincent de Ros* Kinnaird.

TITLE.—Charles Kinnaird, Baron Kinnaird of Inchture in the county of Perth.

CREATION.—Baron Kinnaird of Inchture, 28th December 1682, to the first Lord and the heirs male of his body.

ARMS.—Quarterly: 1st and 4th, Gules, a saltire between four crescents, Or, for Kinnaird; 2d and 3d Gules, three stars, argent, for Kirkaldy of Inchture.

CREST.—A garland of laurel, vert, (Nisbet.) A crescent rising out of a cloud, with a star betwixt its horns, all within two palm branches, disposed orleways, proper, (Douglas.)

Kinnaird.

SUPPORTERS.—Two savages, each wreathed about his head and middle with oak leaves, their hands that support the shield in chains hanging down to their feet, their other hands holding each a garland of laurel.

MOTTO.—*Qui patitur vincit*; and *Certa cruce salus.*

CHIEF SEAT.—The Priory, in the county of Perth.

HAY, EARL OF KINNOUL.

Kinnoul.

I. EDMUND HAY of Melginche, descended from William Hay, second son of Sir David de Haya of Errol, is mentioned in many writs of the family of Errol, and had the chief management of their affairs in Perthshire, being designed balivus Comitis de Errol, 1504. He was father of

Diplom. Erroliana Cart. 27 et 36, penes Com. de Errol. D.

II. PETER HAY of Melginche, who had a charter to him and Margaret Crichton, his wife, and to Peter Hay, his son and heir apparent, and Margaret Ogilvy, his wife, of Inchconnane, in Perthshire, 3d April 1555. He married Margaret, daughter of Crichton of Ruthven, and by her had issue.

Mag. Sig. L. xxxi. No. 65.

1. *Patrick.*

2. Sir *James* Hay of Kingask, who had a charter of the rents and fens of Grange and Grangemuir, in the counties of Edinburgh and Haddington, 25th June 1606; obtained a letter of provision under the great seal, of the priory of Beaulieu, in Ross-shire, 10th May 1607; was appointed comptroller of Scotland, in 1608; and died in 1610, leaving, by his wife, Margaret, daughter of John Murray of Polmaise, a daughter, Agnes, married, first, to Sir George Preston of Craigmiller; secondly, to James, seventh Earl of Glencairn; and a son, Sir James Hay, born at Pitcorthie, in Fife, who, being introduced at court, rose high in the favour of King James VI. He accompanied his Majesty to England, 1603; and had a grant of the name and title of Lord Hay, with precedence next to the barons of the realm, but no place or voice in Parliament. He was advanced to the dignity of a baron of England, 29th June 1615, by the title of Lord Hay of Sauley, in Yorkshire, without any solemn investiture, being the first that was so created, the lawyers declaring that the delivery of the letters patent was sufficient without any ceremony. He was sent ambassador to France in July 1616; was sworn a privy-councillor in March 1617; and created Viscount of Doncaster, 5th July 1618. He went ambassador-extraor-

L. xliv. No. 255. L. xlv. No. 4.

Kinnoul.

Sibb. Fife. 359.

Dugdale, II. 427.

Kinnoul. dinary to the Emperor Ferdinand II., in May 1619, and returned home in January 1620. He went a second time ambassador to France, in April 1622; and, in consideration of his eminent services, was created Earl of Carlisle, 14th September 1622. He held the office of keeper of the great wardrobe, from 1616 to his death; was groom of the stole to King James VI.; and was invested with the order of the Garter. On the accession of King Charles I. his Lordship was continued in his offices, and obtained a grant of the island of Barbadoes. Dying at Whitehall, 25th April 1636, he was buried in the cathedral of St Paul's. He was noted for the extravagancy of his voluptuousness, particularly in the invention of what were called Ante Suppers, the manner of which was to have the board covered, at the first entrance of the guests, with dishes as high as a tall man could well reach, filled with the choicest and dearest viands sea or land could afford. And all this once seen, and having feasted the eyes of the invited, was in a manner thrown away, and fresh set on to the same height, having only this advantage of the other, that it was hot. I cannot, saith Osborne, forget one of the attendants of the King, that at a feast, made by this monster in excess, eat to his single share a whole pye, reckoned to my lord at ten pounds, being composed of ambergreece, magisterial of pearl, musk, &c. Lord Clarendon, mentioning the authority the Earl of Carlisle had in the council, and his great name in the court, draws his portrait thus: He came into England with King James, as a gentleman; under no other character, than as a person well qualified by his breeding in France, and by study in humane learning; in which he bore a good part in the entertainment of the King, who much delighted in that exercise; and by these means, and notable gracefulness in his behaviour, and affability, in which he excelled, he had wrought himself into a particular interest with his Master, and into greater affection and esteem with the whole English nation, than any other of that country; by choosing their friendships and conversation, and really preferring it to any of his own; insomuch as, upon the King's making him gentleman of his bedchamber, and Viscount Doncaster, by his royal mediation, (in which office he was a most prevalent prince,) he obtained the sole daughter and heiress of the Lord Denny to be given him in marriage; by which he had a fair fortune in land provided for any issue he should raise, and which his son, by that lady, lived long to enjoy. Kinnoul.

Lodge, III. 267. Secret History of the Court of James I. 1. 278.

Hist. Rebellion, 1. 48.

He ascended afterwards, and with the expedition he desired, to the other conveniencies of the court. He was groom of the stole, and an Earl, and knight of the Garter; and married a beautiful young lady, daughter of the Earl of Northumberland, without any other approbation of her father, or concernment in it, than suffering him and her to come into his presence after they were married. He lived rather in a fair intelligence than any friendship with the favourites; having credit enough with his Master to provide for his own interest; and he troubled not himself for that of other men; and had no other consideration of money, than for the support of his lustre; and whilst he could do that he cared not for money, having no bowels in point of running in debt, or borrowing all he could.

He was surely a man of the greatest expence in his own person of any in the age he lived; and introduced more of that expence in the excess of clothes and diet, than any other man; and was indeed the original of all those inventions, from which others did but transcribe copies. He had a great universal understanding, and could have taken as much delight in any other way, if he had thought any other as pleasant, and worth his care. But he found business was attended with more rivals and vexations; and he thought, with much less pleasure, and not more innocence.

He left behind him the reputation of a very fine gentleman, and a most accomplished courtier; and after having spent, in a very jovial life, above L.400,000, which, upon a strict computation, he received from the crown, he left not a house nor acre of land to be remembered by. And when he had in his prospect (for he was very sharp-sighted, and saw as far before him as most men,) the gathering together of that cloud in Scotland, which

Kinnoul. shortly after covered both kingdoms, he died with as much tranquillity of mind to all appearance, as used to attend a man of more severe exercise of virtue; and with as little apprehension of death, which he expected many days.

He married, first, 6th January 1607 *, Honora, daughter and sole heiress of Edward, Lord Denny, by whom he had a son, James, second Earl of Carlisle, and a daughter, Lady Anne, who died young; secondly, 6th November 1617, Lady Lucia Percy, daughter of Henry, Earl of Northumberland; but by her, who died 5th November 1660, æta. 61, had no issue. It was not so much her incomparable beauty, as the sprightliness of her wit, and the charms of her behaviour, that rendered her an object of general admiration, notwithstanding her vanity and affectation. From the inmost recesses at Whitehall, she had a great hand in animating the faction at Whitehall, and was the reputed mistress of Pym. James, second Earl of Carlisle, succeeded his father, 1636; was a colonel in Count Mansfeldt's army; resided in the island of Barbadoes, of which he was proprietor; and died in October 1660, without issue by his wife, Lady Margaret Russel, daughter of Francis, Earl of Bedford, who married, secondly, Robert, Earl of Warwick; thirdly, Edward, Earl of Manchester. His titles became extinct, and the island of Barbadoes devolved on the Earl of Kinnoul, who sold it to the crown in 1661.

Granger, I. 549.

3. *Edmund* Hay, professor of civil and canon law in the Scots College at Douay.

1. *Catherine*, married, first, to Robert Moncur of Balumby; secondly, to George Drummond of Blair.

2. *Janet*, married to Sir Patrick Murray of Auchtertyre.

III. PETER HAY of Melginche, the eldest son, had a charter to him and Margaret Ogilvy, his wife, of the ecclesiastical lands of Errol, 19th December 1569. He married Margaret, daughter of Sir Patrick Ogilvy of Inchmartin, by whom he had three sons,

Mag. Sig. L. xxxii. No. 90.

1. *Patrick* Hay of Melginche, ancestor of the Hays of Pitfour, whose genealogy is inserted in Douglas's Baronage, p. 481 to 483.

2. *George*.

3. *Peter*.

Kinnoul.

IV. GEORGE HAY, the second son, born in 1572; went, about 1590, to the Scots college at Douay, where he studied some years under his uncle Edmund; and returning home about 1596, was introduced at court by his cousin, Sir James Hay of Kingask. King James VI. was pleased to appoint him one of the gentlemen of the bedchamber, and to bestow on him the Carthusian priory, or Charter House, of Perth, with a seat in parliament, 18th February 1598; also the ecclesiastical lands of Errol, by another charter, dated the 1st of that month. But finding the rents too small to support the dignity of a lord of parliament, he returned back his peerage to his Majesty. He attended the King to Perth, 5th August 1600, when the Earl of Gowrie was killed in his treasonable attempt on his Majesty's life. Mr Hay, applying to the profession of the law, acquired considerable property, was designed of Netherleiff, and had charters of Dunnichen, in Forfarshire, 17th May 1606, and of Lewes, Glenelg, Barra, &c. 24th July 1610. He was appointed clerk-register in 1616, and knighted. Sir George Hay of Netherleiff, had charters of an annualrent of Redcastle, 18th July 1620; of the barony of Kinfauns, 20th July 1620; of Tullichow, 20th March 1622; and of Innernytie, Kincleven, &c. 15th May 1622. He was constituted high chancellor of Scotland, 16th July 1622; had charters of Craigton, 28th August 1622; of the lands and earldom of Orkney and Zetland, 22d August 1624; of the barony of Aberdalgy, Duplin, &c. 29th July 1626. He was created a peer, by the title of Viscount of Duplin and Lord Hay of Kinfauns, 4th May 1627 *, to him and the heirs male of

Crawf. Off. St. 158.

Keith's Catal. 262.

Mag. Sig. L. xliv. No. 295. L. xlvi. No. 130, 149. L. xlix. No. 259, 262. L. l. No. 24, 66, 67, 98, 359. L. li. No. 133.

L. li. No. 136.

* The Merchant Royal, a sermon preached at Whitehall before the King's Majesty at the nuptials of the Right Honourable Lord Hay and his lady, upon twelfth-day last, being 6th January 1607. Steevens' Shakespeare, Merchant of Venice. She died of a fright, occasioned by a rogue pulling off her diamond ear-ring, in a coach at night in the streets of London Scotstarvet, 151.

* A letter was granted, under the great seal, to George Hay, chancellor of Scotland, Viscount of

Kinnoul. his body, and advanced to the dignity of Earl of Kinnoul, Viscount of Duplin, and Lord Hay of Kinfauns, by patent, dated at York, 25th May 1633, to him and his heirs male for ever. His Lordship enjoyed the chancellor's place, with the approbation of the whole kingdom, and the applause of all good men, for his justice, integrity, sound judgment, and eminent sufficiency, till his death, which happened at London, on the 16th of December 1634. His body was conveyed to Scotland; and, on the 19th of August 1635, was interred in the church of Kinnoul, where a sumptuous monument was erected to his memory, being a statue of his Lordship, of the full size, dressed in his robes as chancellor, and reckoned a strong likeness. There is no inscription on the monument; but an epitaph on him, by Dr Arthur Johnston, is published in Crawford's Lives of the Officers of State, beginning thus:

Crawf. Off. St. 160.

Stat. Acc. XVIII. 555.

Gone is the wise Lycurgus of our time,
The great and grave dictator of our clime.

His Lordship married Margaret, daughter of Sir James Halyburton of Pitcur; and by her, who, dying 4th April 1633, was buried at Kinnoul, 7th May following, had issue,

Balf. Ann. MS.

1. Sir *Peter* Hay, who had charters to Peter Hay, eldest son of George Hay of Neyerliff, of the ecclesiastical lands and right of patronage of Errol, 8th January 1602-3; and of the lands of Dunnynald, 23d May 1611. He died before his father, unmarried.

Mag. Sig. L. xliii. No. 88. L. xlvi. No. 344.

2. *George*, second Earl of Kinnoul.

V. GEORGE, second Earl of KINNOUL, the only surviving son, succeeded his father 1634; was a privy-councillor to King Charles I.; and held the office of captain of the yeomen of the guard from 1632 to 1635. He adhered to the King's party, and refused to sign the solemn league and covenant 1643. Dying at Whitehall, 5th October 1644, he was buried at Waltham Abbey, 8th October. He married Lady Anne Douglas, eldest daughter of William, second Earl of Morton, by whom he had a son,

Duplin, and Baron Hay of Kinfauns, de armis suis, 14th July 1629. L. iii. No. 173.

William, third Earl of Kinnoul;—and Kinnoul. two daughters,

1. Lady *Mary*, married to George, eighth Earl Marischal, and had issue.

2. Lady *Catherine*, born at Perth, 11th September 1641; married, in 1669, to James Baird, younger of Auchmedden, who predeceased his father, Sir James Baird, in 1681, aged 31. She died at Auchmedden, 11th January 1733, aged 92.

VI. WILLIAM, third Earl of KINNOUL, the only son, succeeded his father 1644; and the same year joined the Marquis of Montrose and the royalists. He was, by the English, committed prisoner to the castle of Edinburgh, from whence he made his escape, 28th May 1654, over the wall, by tying sheets and blankets together. Joining the Earl of Middleton in the north, he was taken by the English in the braes of Angus, in November 1654, after three days pursuit through thick snow. His Lordship was buried at Waltham Abbey, 28th March 1677. He married, first, Lady Mary Brudenel, daughter of Robert, Earl of Cardigan, without issue; secondly, Miss Catherine Cecil, daughter of Charles, Viscount Cranbourn, eldest son of William, Earl of Salisbury, and by her had two sons,

Lamont's Annals, MS.

1. *George*, fourth Earl of Kinnoul.
2. *William*, fifth Earl of Kinnoul.

VII. GEORGE, fourth Earl of KINNOUL, the eldest son, succeeded his father in 1677; but dying, without issue, in Hungary, in 1687, the title devolved on his brother,

VII. WILLIAM, fifth Earl of KINNOUL, who was at the court of St Germains with King James VII. after his abdication. He resigned his titles into the hands of Queen Anne, and obtained a charter, 29th February 1704, limiting the honours to himself during his life; and failing him, by decease, to Thomas, Viscount of Duplin, and the heirs male of his body; which failing, to his heirs of tailzie and provision, succeeding to him in the lands and barony of Duplin. To this is adjected a clause, declaring that the present patent shall in

Kinnoul. no way prejudice the patent granted by King William, to Thomas, Viscount of Duplin, of the title and honour of Viscount of Duplin. Dying, unmarried, 10th May 1709, he was accordingly succeeded by Thomas, Viscount of Duplin, descended from

IV. PETER HAY of Kirkland of Megginch, brother of George, first Earl of Kinnoul. He married a daughter of Hay of Pitfour, [qu.?] by whom he had a daughter, married to Sir Andrew Fletcher of Innerpeffer, a Lord of Session; and a son,

V. FRANCIS HAY, who followed the profession of a Writer to the Signet, and acquiring the lands of Balhousie, in Perthshire, was designed by that title. Francis Hay of Balhousie, had charters of the barony of Mochrum, in the county of Wigton, 7th April 1632; of Crugeltoun castle, 10th November 1632; of Peill Lethame, in Perthshire, 9th March 1633; of the barony of Duplin, 22d August 1642; and to him and George, his son, of the barony of Balhousie, 7th April 1643. He was fined in the sum of L.2000 sterling for his loyalty, by Cromwell's act of grace and pardon, 1654. He married Margaret, daughter of James Oliphant of Bachilton, by whom he had a son,

Mag. Sig. L. liii. No. 214. L. liv. No. 85, 111. L. lvii. No. 125, 151.

George;—and two daughters,

1. *Beatrix*, married, in 1652, to George Hay of Megginch. They both died in 1670. He sold Megginch, in 1664, to Mr Drummond, Lord Haddington's chamberlain.

2. *Rebecca*, married to George Oliphant, son of John Oliphant of Bachilton.

VI. GEORGE HAY of Balhousie, the only son, died in October 1672. He married Marion, daughter of Sir Thomas Nicolson of Carnock, King's Advocate, by whom he had two sons,

1. *Francis* Hay of Balhousie, who was born 28th February 1658; succeeded his father, 1672; and died, unmarried, in 1675. Edin. Reg.

2. *Thomas*.

VII. THOMAS HAY of Balhousie, the second son, succeeded his brother 1675; was elected Member of Parliament for the county of Perth, and took the oaths and his seat, 25th May 1693. He was created a peer, by the title of Viscount of Duplin, to him and the heirs male of his body; which failing, to his heirs of entail, by patent, dated 31st December 1697; and took the oaths and his seat as such, 25d July 1698. He was one of the commissioners for the union; supported that treaty in parliament; succeeded as Earl of Kinnoul, 1709; was chosen one of the sixteen representatives of the Scotish peerage, at the general election, 1710; and rechosen in 1713, supporting the Tory administration. On the breaking out of the rebellion, 1715, he was one of the suspected persons summoned to surrender themselves; was committed prisoner to the castle of Edinburgh; and died in January 1719. Minutes of Parliament.

He married Elisabeth, only daughter of William, first Viscount of Strathallan, by whom he had issue,

1. *George*, seventh Earl of Kinnoul.

2. Hon. *William* Hay, died without issue.

3. Hon. Colonel *John* Hay of Cromlix, who accompanied the Earl of Marr from England to the north of Scotland, in 1715; and joined his Lordship in proclaiming the Pretender, by whom he was created Earl of Inverness; and he was forfeited by act of parliament. He married Marjory, *third* daughter of David, fifth Viscount of Stormont, sister of the first Earl of Mansfield.

1. Lady *Margaret*, born 30th September 1686; married, at Twickenham, 6th April 1703, to John, Earl of Marr, secretary of state for Scotland, and had issue; and died 25th April 1707, in her 21st year.

2. Lady *Elisabeth*, married to James, fifth Earl of Findlater and Seafield, and had issue.

VIII. GEORGE, seventh Earl of KINNOUL, the eldest son; was chosen Member of Parliament for Fowey, in Cornwall, at the general election, 1710; appointed one of the tellers of exchequer 1711, when a new writ was issued, and he was rechosen. He was created a peer of Great Britain, by the title of Baron Hay of Pedwardine, 31st December 1711, being one of the twelve created that day, to secure a majority in

Kinnoul. the House of Lords for the Tory administration. On the breaking out of the rebellion, he was taken into custody at London, 21st September 1715, when the King sent a message to the House of Lords for their consent to secure the Earl of Jersey, Lords Duplin and Lansdown, on suspicion of favouring the Pretender's invasion; and, on the expiry of the act suspending the Habeas Corpus Bill, 24th June 1716, he was admitted to bail. On the examination of witnesses respecting Layer's conspiracy, in 1722, one of them having sworn that the Earls of Kinnoul and Stafford knew of that conspiracy, and were concerned in the management of it, complaint was made to the House of Lords, and it was moved that the witnesses to that point should be examined; the question was put, and the motion negatived, 64 to 29, the Earl of Kinnoul voting in the minority. His Lordship received, in 1729, the appointment of ambassador to Constantinople, from whence he returned home in 1737 *; and died at Ashford, in Yorkshire, 28th July 1758.

His Lordship married Lady Abigail Harley, second daughter of Robert, Earl of Oxford, and Earl Mortimer, high treasurer of Great Britain; and by her, who died at Brodesworth, in Yorkshire, 15th July 1750, had ten children,

1. *Thomas*, eighth Earl of Kinnoul.

2. *Robert*, Archbishop of York.

3. Hon. *John* Hay, born 1719, A. M. of Christ-Church College, presented by King George II. to the rectory of Epsworth, in Lincolnshire, and died in 1751.

4. Hon. *Edward* Hay, born 1722; appointed British consul at Cadiz, 1752; consul-general of Portugal, 1754; envoy-extraordinary to the court of Lisbon, 1757; minister-plenipotentiary to the same court, 1762; and governor of Barbadoes, 1772; in which station he continued till his death, in that island, 21st October 1779, æta. 57. He married, first, in 1752, Mary, daughter of Peter Flower of London, merchant; she died in 1775; secondly, in Barbadoes, 24th January 1779, Miss Barnwell.

* Under the act abolishing heritable jurisdictions, 1747, he was allowed, for the regality of Balhousie, L.800, in full of his claim of L.3000.

He had issue only by the first: 1. Edward, married to Elisabeth, daughter of William Wagstaffe of Manchester. 2. Thomas, married to Anne, daughter of Bragge of Clevedale, in Dorsetshire. 3. William-Robert, married to Mary, daughter of William Wagstaffe of Manchester. 1. Henrietta, married, 11th May 1788, to J. Hawkins Browne of Badger, in Shropshire. 2. Mary, married to Lewis Bagot, Bishop of St Asaph, brother of Lord Bagot, and died 1786. 3. Margaret.

Kinnoul.

1. Lady *Margaret*, died unmarried.

2. Lady *Elisabeth*, died, unmarried, at Edinburgh, 15th September 1791.

3. Lady *Anne*, died unmarried.

4. Lady *Abigail*, died, unmarried, at London, 7th July 1785, æta. 69.

5. Lady *Henrietta*, married, 30th July 1754, to Robert Roper of Muffets, in Hertfordshire, and Trimdon, near Durham, LL.D. chancellor of the diocese of York, and auditor of the Duchy of Lancaster, and died, without issue, at Dr Hume's, canon of Christ-Church College, Oxford, 9th October 1798, æta. 81.

6. Lady *Mary*, married, 5th April 1758, to John Hume, D.D. Bishop of Oxford and Salisbury, who died 1782. She died at her son, Canon Hume's, in the Close, Salisbury, 26th August 1805, æta. 82.

IX. Thomas, eighth Earl of Kinnoul, born in 1710, was an excellent classical scholar, and few treasured up so great a store of various and important knowledge. With the first men of his time, both in the political and literary world, he lived in habits of familiar intercourse. Lord Chancellor Hardwicke, Lord Mansfield, Archbishop Secker, Mr Pelham, and Mr Pope, were of the number, and may serve as a specimen of those with whom he chiefly associated. He was returned Member of Parliament for Scarborough, on a vacancy, 1736, but found not duly elected; was chosen for the town of Cambridge, (of which he held the office of recorder till his death,) at the general election, 1741; re-chosen in 1747 and 1754; and was chairman of the committee of privileges and elections in the two last parliaments. He was appointed one of the commissioners of the revenue in Ireland, in April 1741; one

of the commissioners of trade in November 1746; one of the lords of the treasury, in April 1754; joint-paymaster of the forces, in 1755; chancellor of the duchy of Lancaster, 24th January 1758; was sworn a privy-councillor, and succeeded his father the same year. He went, in 1759, to Portugal, ambassador-extraordinary and minister-plenipotentiary, to make satisfaction to the court of Lisbon, for the violation of the neutrality of the Portuguese territory, by Admiral Boscawen taking and burning, off Lagos, the French ships commanded by M. de la Clue, and he returned home in 1760.

His Lordship's unremitted attention to business for so long a period, and in so many different offices, having greatly impaired his health, and the Duke of Newcastle being deprived of the premiership, in 1762, he, that year, resigned all his employments under the crown, and resolved to dedicate the remainder of his life to retirement, at the seat of his ancestors; a resolution from which the most urgent solicitations and splendid offers were never able to divert him. His retirement from public business was not devoted to indolence and inaction. The remainder of his life, though in a more contracted sphere, was assiduously employed in the service of his fellow-creatures.

His Lordship was elected chancellor of the University of St Andrews, in 1765, and chosen president of the Society for Propagating Christian Knowledge in Scotland, in January 1768; offices for which he was eminently qualified, and which, with much credit to himself and benefit to these institutions, he sustained till his death. That noble and useful work, the bridge over the Tay at Perth, owes to him its existence, and was raised under his auspices, and at the risk of his private fortune. To his servants he was a kind master, and to the poor a liberal benefactor: He gave encouragement to every species of *industry*, and to *numbers* employment and bread. Proceeding on the maxim, that to consult the comfort and prosperity of his tenants, was the surest mean of promoting his own interest, he gave them leases of proper length, and at moderate *rents*, and built houses for their accommodation in a superior stile. Under his judicious management, his estates speedily assumed a new face, improvements rapidly advanced, and the tenants prospered. As a friend his Lordship was affectionate and steady. A warm, but rational piety was the great leading principle of his character; it directed every part of his conduct in private life. He knew the influence of the example of men of his rank upon the manners of the inferior classes, his attendance therefore upon divine worship was not occasional, but regular, and extended to the whole of its usual and stated services. His Lordship died, after a short illness, at Duplin, 27th December 1787, in the 78th year of his age*. He married, at London, 12th June 1741, Constantia, only daughter and heiress of John Kyrle Ernle of Whetham, in Wiltshire, who was only son of Sir John Ernle of Much Marcle, in the county of Hereford, knight, by Vincentia, eldest of the four daughters and coheirs of Sir John Kyrle of Much Marcle, baronet. By her the Earl of Kinnoul had a son, born at London, 12th August 1742, who died an infant; and she died, 15th July 1753, before her husband succeeded to the peerage, without surviving issue, whereby the titles devolved on Robert Auriol Hay Drummond, eldest son of his brother,

IX. The Hon. ROBERT HAY, born at London, 10th November 1711, who, in 1739, assumed the name and arms of Drummond, as heir of entail of his great-grandfather, William, Viscount of Strathallan, by whom the estates of Cromlix and Innerpeffry, in Perthshire, were settled as a perpetual provision for the second branch

* A very circumstantial detail of his Lordship's character is contained in a "Sermon preached before "the Society in Scotland for Propagating Christian "Knowledge, 5th June 1788, by the Rev. John "Kemp, one of the ministers of Edinburgh," thus prefaced: The Society, deeply sensible of the loss they have sustained by the death of the Earl of Kinnoul, their late worthy president, consider it as a *duty incumbent upon them, to* testify to the world their respect for his memory, and their gratitude for his beneficent attention to the objects of their institution. As a society, founded for the purpose of promoting the cause of religion, they think themselves called upon to exhibit to public view a character formed upon *religious principles*, and affording a bright example of their influence.

Kinnoul. of the Kinnoul family. He was educated at Westminster school and Christ-Church College, Oxford; accompanied his cousin, Thomas, Duke of Leeds, on a tour to the continent, from whence he returned, in 1735, to college, to pursue the study of divinity. Soon afterwards he was presented, by the Oxford family, to the living of Bothall, in Northumberland; and, in 1737, was appointed chaplain in ordinary to George II., whom he attended, in his German campaign, 1743; and, on the 7th of July that year, preached before his Majesty, at Hanover, a thanksgiving sermon for the victory at Dettingen. On his return home he was installed a prebendary of Westminster, consecrated Bishop of St Asaph, 1748; translated to the see of Salisbury in May 1761; and immediately afterwards promoted to the archiepiscopal see of York, in which dignity he was enthroned in November 1761; was sworn a privy-councillor, and appointed high almoner. His Grace preached the sermon at the coronation of King George III. and Queen Charlotte, 22d September 1761; and, dying at Bishopthorpe, on the 10th of December 1776, in the 66th year of his age, was buried under the altar of the church of that place. His worth is written in legible characters in the annals of the church, over which he presided with dignified ability and apostolic affection; in those of the state, whose honest councillor and disinterested supporter he approved himself; and in the hearts of his surviving family and friends, who were witnesses to the extent of his information, the acuteness of his talents, the soundness of his learning, the candid generosity of his heart, and the sweet urbanity of his daily conversation *.

His Grace married, 31st January 1748, Henrietta, daughter and heiress of Peter Auriol, of Coleman Street, London, merchant; and by her, who died 22d April 1773, had issue,

* The above paragraph is taken from "Sermons "on public occasions, and a letter on theological "study, by Robert, late Lord Archbishop of York; "to which are prefixed Memoirs of his Life. By "George Hay Drummond, A. M. Prebendary of "York," 8vo. Edinburgh, 1803. To that publication reference is made for a minute account of this eminent prelate.

1. *Abigail*, who died, unmarried, at York, in 1766, in her 16th year, commemorated by the Rev. Mr Mason in a well-known epitaph. Kinnoul.

2. *Robert* Auriol, ninth Earl of Kinnoul.

3. *Thomas* Auriol Hay Drummond, born 7th August 1752, who died, unmarried, at London, 7th April 1773, in his 21st year.

4. *Peter* Auriol Hay Drummond, born 21st January 1754, lieutenant-colonel of the fifth regiment of West-York militia, who died in consequence of a fall down the staircase of his house at Bawtry, in Yorkshire, 21st March 1799, æta. 46. He married, 28th November 1775, Mary, daughter of Pemberton Milnes of Wakefield, but had no issue by her, who, in May 1803, took to her second husband Viscount Galway.

5. *John* Auriol Hay Drummond, born 4th July 1756; master and commander in the royal navy; lost in the Beaver prize, off St Lucia, in a hurricane, 11th October 1780, æta. 25, unmarried.

6. Rev. *Edward* Auriol Hay Drummond, D. D., born 10th April 1758; married, first, 12th December 1782, Miss Elisabeth Devisme; and by her, who died 14th February 1790, had issue: Edward William, born 4th April 1785; Jane, died 27th December 1786; and Henrietta, born 30th March 1788. He married, secondly, 24th March 1791, Miss Amelia Auriol, by whom he had a daughter, Amelia, born July 1795, who died 12th March 1799.

7. Rev. *George William* Auriol Hay Drummond, born 13th March 1761; of Christ-Church College, Oxford, where he took the degree of A. M. 1783; canon or prebendary of Ulliskelfe, in York cathedral, rector of Bawmarsh, vicar of Brodesworth and Braithwells, in Yorkshire, perpetual curate of Badsey and Wickamford, in the county of Worcester, author of "Verses "Social and Domestic," Edin. 1802, and editor of his father's sermons. He sailed from Biddeford, in Devonshire, on board a vessel for Greenock, 6th December 1807; a dreadful storm arose that night, the ship was cast away, and all on board perished. Mr Drummond had left his family at Biddeford; his portfolio, with several letters, and 360 drawings of the various

places he had visited, was washed on shore. He married, 19th April 1785, Elisabeth Margaret, daughter of Sir Samuel Marshall of Berry House, in the county of Southampton, knight, captain in the royal navy, of which he held the office of deputy-comptroller; and by her, who was born 19th September 1767, and died 15th February 1799, æta. 32, had three surviving children: Robert William, born 9th June 1786; Henrietta Elisabeth, born 1st December 1787; and Alexander, born 4th February 1797.

X. Robert Auriol Hay Drummond, the eldest son, born 18th March 1751; succeeded, in 1796, his father in his landed property, including the noble estate of Brodesworth, in Yorkshire, and his uncle, in 1787, when he became ninth Earl of Kinnoul. His Lordship signed the protest on the regency bill, 29th December 1788; was sworn a privy-councillor, 29th April 1796; and, on the 30th of September following, the King was pleased to appoint him, and Thomas Robert, his eldest son, to the office of lord-lion king at arms, for that part of the united kingdom of Great Britain called Scotland. His Lordship held the office of president of the Society in Scotland for Propagating Christian Knowledge; and died at Duplin, 12th April 1804, in his 54th year. He married, first, 19th April 1779, Julia, only daughter of Anthony Eyre of Grove, in the county of Nottingham; she died, without issue, 29th March 1780; secondly, 3d June 1781, Sarah, born 19th October 1760, fourth daughter of the Right Hon. Thomas Harley, alderman of London, brother of the Earl of Oxford, and by her had issue,

1. *Thomas Robert*, tenth Earl of Kinnoul.

2. Hon. *Francis John* Hay Drummond of Cromlix, born 17th September 1786, who had an ensign's commission in the second regiment of foot-guards, 1804; served in the expedition to Walcheren, and in Portugal, and was drowned in the river Earn, on Sunday, 28th October 1810, in the 25th year of his age, unmarried. He had paid a visit to Lord Ruthyen, at Freeland House, the preceding day; was prevented from returning to Duplin that evening by the weather; but set out early next morning, in order to accompany his brother to church. Crossing the river on horseback, the current, swelled by a heavy rain, carried him down, and he perished, no person being in sight.

1. Lady *Henrietta*, born 3d August 1783; married, at London, 23d June 1807, to Henry Drummond, of the Grange, in Hampshire, banker in London, grandson of Henry, Viscount Melville.

2. Lady *Sarah Maria*, born 21st June 1788; married, at London, 9th May 1811, to the Rev. George Murray, eldest son of the late Lord George Murray, Bishop of St David's, and nephew of the Duke of Atholl.

XI. Thomas Robert, tenth Earl of Kinnoul, born 5th April 1785; succeeded his father, as Earl of Kinnoul and Lord Hay, and in the office of lord-lion king at arms, 1804; and was constituted colonel of the Royal Perthshire militia, 6th June 1809.

Titles.—Thomas Robert, Earl of Kinnoul, Viscount of Duplin, Lord Hay of Kinfauns and Pedwardine.

Creations.—Viscount of Duplin, and Lord Hay of Kinfauns, by patent, dated at Whitehall, 4th May 1627, to the first Viscount, and the heirs male of his body. Earl of Kinnoul, Viscount of Duplin, and Lord Hay of Kinfauns, by patent, dated at York, 25th May 1633, to the first Earl, and his heirs male for ever. Resigned by the fifth Earl into the hands of Queen Anne, and new charter granted, 9th February 1704, to him for his life, remainder to Thomas, Viscount of Duplin, and the heirs male of his body; which failing, to his heirs of tailzie and provision succeeding him in his lands and barony of Duplin, with this proviso, that this shall in no ways prejudice the patent granted by King William to Thomas, Viscount of Duplin, of the title and honour of Viscount of Duplin. Viscount of Duplin, 31st December 1697, to the first Viscount, and the heirs male of his body; which failing, to his heirs of tailzie: Scotish honours.—Baron Hay of Pedwardine, in the county of

Kinnoul. Hereford, 31st December 1711: British title. Kinnoul.

ARMS.—Quarterly: 1st and 4th, Azure, an unicorn effrayé, argent, horned, maned, and unguled, Or, within a bordure of the last, charged with eight thistles, vert, and as many half roses, gules, conjoined paleways, for a coat of augmentation; 2d and 3d, Argent, Three inescutcheons, gules, two and one, for Hay.

CREST.—A countryman couped at the knees, vested in gray, his waistcoat gules, and bonnet azure, bearing on his right shoulder an ox yoke, proper.

SUPPORTERS.—Two countrymen habited as in the crest, the dexter holding over his shoulder the coulter of a plough, the sinister the paddle; both proper.

MOTTO.—*Renovate animos.*

CHIEF SEAT.—Duplin House, in the county of Perth.

KEITH FALCONER, EARL OF KINTORE, AND LORD FALCONER OF HALKERTOUN.

Kintore. I. THE Hon. Sir JOHN KEITH, third son of William, sixth Earl Marischal, had the principal hand in preserving the regalia of Scotland from falling into the hands of Cromwell, during whose usurpation they had been carried to Dunnotter Castle, both as the Earl Marischal, in virtue of his office, had a right to keep them, and it was thought a place of safety. Dunnotter being besieged, Sir John Keith got the regalia safely conveyed away, and deposited under ground in the church of Kinneff. Sir John then sailed for France, whither he pretended to have carried these valuable articles. On his return home, he was apprehended and examined, and declaring that he had conveyed them to France, all further search for the regalia was dropped. At the restoration, 1660, Sir John Keith was appointed knight marischal of Scotland, which office was settled hereditarily on his family. He had a charter of the lands of Caskieben, now Keith Hall, 1661; was raised to the dignity of the peerage, by the title of Earl of Kintore, Lord Keith of Inverurie and Keith Hall, 26th June 1677; was sworn a privy-councillor; and in December 1684, was appointed treasurer-depute, in room of the Earl of Melfort promoted. He made a resignation of his honours and estates into the hands of King William and Queen Mary; and, 22d February 1694, obtained a new charter, by which the title of Kintore, and the family estates were settled on him and the heirs male of his body; which failing, on the heirs male of the body of his brother, George, Earl Marischal; which failing, on the heirs female of his body, with other remainders. He supported the treaty of union in the parliament of Scotland, and died in the year 1714. Kintore.

His Lordship married Lady Margaret Hamilton, born 15th January 1641, posthumous daughter of Thomas, second Earl of Haddington, by whom he had a son,

William, second Earl of Kintore;—and two daughters,

1. Lady *Jean*, married to Sir William Forbes of Monymusk, in the county of Aberdeen, baronet. Sir William Forbes of Pitsligo, baronet, descends from them.

2. Lady *Margaret*, married to Gavin Hamilton of Raploch. They were proclaimed at Keith Hall, 9th July 1697. Keith Hall Register.

II. WILLIAM, second Earl of KINTORE, the only son, succeeded his father 1714;

Kintore.

Communicated by the Rev. George Skene Keith, the able and intelligent minister of Keith Hall.

engaged in the rebellion 1715; was at the battle of Sheriffmuir, after which he never shaved his beard. When the Duke of Argyll went north after the rebels, he visited Keith Hall, his Lordship's seat, behaved in the kindest manner to the Countess, expressing his hopes that she would soon see her husband safe at home, and pretending entire ignorance of his accession to the rebellion, although he well knew that he was at that time concealed in his own house on that account. No notice was taken of his Lordship's conduct, only the office of knight marischal, although hereditary in his family, was taken from him. His Lordship died 5th December 1718.

His Lordship married the Hon. Catherine Murray, eldest daughter of David, fourth Viscount of Stormont, by whom he had issue,

1. *John*, third Earl of Kintore.
2. *William*, fourth Earl of Kintore.

1. Lady *Catherine Margaret*, married to David, fifth Lord Falconer of Halkertoun.
2. Lady *Jean*, died unmarried.

III. JOHN, third Earl of KINTORE, was baptised at Keith Hall on the 21st of May 1699; succeeded his father 1718; was appointed knight marischal of Scotland in June 1733; and died at Keith Hall, 22d November 1758, in the 60th year of his age. He married, at Edinburgh, 21st August 1729, Mary, born 5th July 1714, daughter of the Hon. James Erskine of Grange, Senator of the College of Justice, and Lord Justice-Clerk, brother of John, eleventh Earl of Marr; but by her, who died at Edinburgh, 9th May 1772, æta. 58, had no issue.

III. WILLIAM, fourth Earl of KINTORE, baptised at Keith Hall, 5th January 1702; was a promising young man; but the misfortunes of his family broke his spirits. He succeeded his brother, 1758; and died at Keith Hall on the 22d of November 1761, in the 60th year of his age. On his death, the estates devolved on George, Earl Marischal, and the honours fell dormant, as Lord Marischal would not allow a clause enabling him to inherit titles, to be put into the act of parliament by which he was allowed to inherit estates. On his Lordship's death, 23d May 1778, the title and estates of Kintore devolved on Anthony Keith Falconer, Lord Falconer of Halkertoun, grandson of Lady Catherine Keith, eldest daughter of the second Earl of Kintore.

Kintore.

The Falconers of Halkertoun derive their descent from Ranulphus, filius Walteri de Lunkyir (Lumgair,) who obtained the office of King's falconer from William the Lion, from whom he got a charter of the lands of Luthra, Balbegno, and several others, lying in the county of Kincardine, near the castle of Kincardine, where King William often resided. From this office he assumed the name of Falconer.

Genealogical Collections in the Adv. Lib. D.

WALTER LE FALCONER and de Lunkyir, is witness to a charter of vendition of the lands of Drumsleid, in the county of Kincardine, about 1250 *.

Chartul. of Arbroath, penes Macfarlane, 48. D.

ROBERT LE FALCONER of Halkertoun, was one of those called to estimate the valuation of the barony of Culravock and Geddes, 1295; and swore fealty to King Edward I. 1296.

Carta penes Culravock. D. Prynne, III. 651, 661. D.

DAVID FAUCONER had a charter from his godfather, King David II., granting filiolo nostro dilecto David Fauconer, quem de sacro fonte levavimus, L.8 sterl. ad sustentationem suam annuatim percipiend. de itineribus cameræ nostræ in loco competenti ubi elegere voluerit, dated at Munros, 2d April 1365.

Reg. Mag. Sig. 43.

ANDREW FALCONER of Lethenbar, was one of the barons who attended Alexander, Earl of Buchan, the King's lieutenant, 11th October 1380.

Chartul. of Moray, penes Macf. 187. D.

ALEXANDER FALCONER of Lethens, is mentioned in the first edition, as father of David Falconer, and Robert Falconer, who had a charter of the lands of Newton, 1473; and whose grandson, Robert, had a charter of Balendro, 1504.

DAVID FALCONER of Halkerton, was one of jury on an inquisition held in presence of the sheriff of Kincardine, 1st April 1448.

Carta in Pub. Arch. D.

I. ALEXANDER FALCONER of Halker-

* Peter le Faukener was clericus regis under Alexander II. Chart. Kelso, No. 157. Caledonia, I. 141.

Kintore.

ton, is mentioned as defender in a civil cause before the lords of council, 11th October 1490. He married Janet, daughter of Sir Patrick Arbuthnott of Arbuthnott, [qu.?] by whom he had a son and successor,

Acta Dom. Conc. 446.

II. Sir GEORGE FALCONER of Halkerton, who, under the designation of George Falconer, son and heir apparent of the Lord of Hawkerton, witnessed a charter of Earl Marischal, 3d February 1493-4. He had a charter of the lands of Lethin, in the county of Nairn, 21st February 1506-7; and died in 1511, leaving, by Elisabeth his wife, daughter of Erskine of Dun, a son,

Mag. Sig. L. xiii. No. 87. L. xiv. No. 300.

III. DAVID FALCONER of Halkertoun, who had a charter of the lands of Easter Kilravock, 4th October 1525. A charter was granted, by John Middiltoun of Middiltoun, to David Falconer of Halkertoun, and Mariot Dunbar, his wife, of the lands of Middiltoun, in the county of Kincardine, in excambion for Neyersete of Halkerton and other lands, dated 19th January 1539-40. He had a charter of part of the same lands, 8th October 1546, and married Mariot Dunbar. He had a son,

L. xii. No. 110. L. xvii. No. 357. L. xix. No. 425.

Sir *Alexander*;—and a daughter,

Elisabeth, who, in her virginity, had a charter of the lands of Ballandro, in the county of Kincardine, from Robert Falconer of Ballandro, 5th November 1552. Alexander Lindsay of Broadland, and Elisabeth Falconer, his wife, had a charter of the lands of Broadland and Phesdo, in the same county, 25th October 1562.

L. xxx. No. 704. L. xxii. No. 389.

IV. Sir ALEXANDER FALCONER of Halkertoun, the only son, had a charter to Alexander Falconer, son and heir apparent of David Falconer of Halkertoun, and Elisabeth Douglas, his wife, of the hill of Halkertoun, 24th April 1544. He married Elisabeth, only daughter of Sir Archibald Douglas of Glenbervie, and had issue,

L. xxix. No. 78.

1. Sir *Alexander*.

2. *Archibald*, ancestor of the Falconers of Phesdo, the last of whom, John Falconer of Phesdo, advocate, died at Leith, 21st November 1764, in the 91st year of his age, leaving his estate to the *Hon.* Captain George Falconer, fifth son of David, fifth Lord Falconer of Halkertoun.

Kintore.

3. *Samuel* Falconer of Kincorth, in the county of Elgin.

4. *William* Falconer of Dinduff, father of Colin Falconer, Bishop of Argyll and Moray.

Daughter, *Catherine*, married to Hugh Rose of Kilravock. She had a charter of the lands of Culmore, 5th January 1571-2.

Mag. Sig. L. xxxiii. No. 113.

V. Sir ALEXANDER FALCONER of Halkertoun, the eldest son, had charters of the lands of Fernethie, in the shire of Nairn, 29th April 1586, and to him and Alexander, his son, of the baronies of Lethin, Meddiltoun, and Halkertoun, in the counties of Nairn and Kincardine, 12th October 1593. He married Isabel, fourth daughter of Patrick, sixth Lord Gray, relict of David Strachan of Carmylie, and had issue,

L. xxxvi. No. 276. L. xxxix. No. 258.

1. Sir *Alexander*.

2. *Patrick* Falconer of Newton, ancestor of James Falconer of Monktoun.

3. *James*, who had a charter of the lands of Middlehaugh, in the barony of Spynie and county of Elgin.

In Pub. Arch. D.

VI. Sir ALEXANDER FALCONER of Halkertoun, the eldest son, had charters of the baronies of Halkertoun and Lethin, to him and Agnes Carnegie, his wife, 27th January 1594-5; and to him of the same barony, 28th July 1612. He married Agnes, eldest daughter of Sir David Carnegie of Colluthie, sister of the first Earl of Southesk, and had issue,

Mag. Sig. L. xl. No. 97. L. xlvii. No. 75,

1. Sir *Alexander*.

2. Sir *David* Falconer of Glenfarquhar.

3. Sir *John* Falconer of Balmakellie, who had the office of master of the mint, in the reign of King Charles II. He married, first, Esther Briot, by whom he had at least two sons, John, baptised at Edinburgh, 3d October 1636; and Patrick, baptised at the same place, 3d October 1642. He married, secondly, Barbara Jaffray, who occurs in 1688.

Edin. Reg. Morison's Decisions, 6140.

4. *James*, who had a charter of the lands of Coatfield, in the county of Elgin.

In Pub. Arch. D.

VII. Sir ALEXANDER FALCONER of Halkerton, the eldest son, had a charter,

Kintore. Mag. Sig. L. xlix. No. 151.

to "Alexander Falconer, younger of Hal-"kerton," and his wife, of the barony of Halkertoun, 21st April 1619. He was constituted one of the Lords of Session, 9th July 1639; and created a peer, by the title of Lord Falconer of Halkertoun, 20th December 1647, to him and his heirs male whatsoever. There is a charter to "Alex-"ander, Lord Falconer of Halkertoun," of the lands of Diracroft, in the county of Kincardine, dated 24th June 1646, which would indicate that his creation took place at an earlier period. He was superseded in his office of Lord of Session, in 1649, for what was then termed malignancy; was reinstated at the restoration, 1660; and died 1st October 1671. His Lordship married Anne, only child of John, ninth Lord Lindsay of Byres, and by her had a son,

L. lvii. No. 528.

Alexander, second Lord Falconer of Halkertoun;—and a daughter,

Hon. *Agnes* Falconer, married to George, second Lord Banff, and had issue.

VIII. ALEXANDER, second Lord FALCONER of Halkertoun, the only son, died 4th March 1684; he married Lady Margaret Ogilvy, second daughter of James, second Earl of Airly, by whom he had a son,

IX. DAVID, third Lord FALCONER of Halkertoun, who was served heir to his father 1685; and was, 24th March 1710, found incompos mentis, and had been so for twenty years back. He died, unmarried, in February 1724, when the title devolved on Sir Alexander Falconer, descended from

VII. Sir DAVID FALCONER of Glenfarquhar, who married Margaret, daughter of Hepburn of Bearford, and had issue,

1. Sir *Alexander*.
2. Sir *David* Falconer of Newton.
3. Daughter, *Margaret*, born 19th April 1634.

VIII. Sir ALEXANDER FALCONER of Glenfarquhar, the eldest son, was created a baronet, 20th March 1670-1, and was served heir to Margaret Hepburn, Lady Glenfarquhar, his mother, 2d August 1673. He had a son,

IX. ALEXANDER, fourth Lord FALCONER of Halkertoun, who succeeded to that peerage on the death of his cousin, 1724; but dying without issue, 17th March 1727, the title of baronet, it is presumed, became extinct, and that of Lord Falconer of Halkertoun devolved on David Falconer, son of

Kintore.

VIII. Sir DAVID FALCONER of Newton, second son of Sir David of Glenfarquhar. He was appointed a Lord of Session, 11th June 1676, and promoted to the president's chair, 5th July 1682. He drew up Decisions of the Court of Session from November 1681 to 9th December 1685, the very last day of his sitting in court; and dying, 15th December 1685, in the 46th year of his age, was buried in the Greyfriars churchyard, where is a monument to his memory, with an inscription, printed in Monteith's Theater of Mortality, page 44.

He married, first, Elisabeth, daughter of Robert Nairn of Muckersy, sister of Robert, first Lord Nairn, by whom he had a son,

Alexander, born 6th August 1663; died young. Edin. Reg.

He married, secondly, 16th February 1678, Mary, daughter of George Norvell of Boghall, in the county of Linlithgow, and had issue by her,

1. *David*, fifth Lord Falconer of Halkertoun.

2. *Alexander*, born 1682; married to Mary, Countess of Errol, without issue.

3. *George*, born 20th November 1685; married to Miss Marjoribanks, sister of General Marjoribanks, and had three sons and two daughters. Ibid.

1. *Margaret*, born 13th February 1679; died unmarried. Ibid.

2. *Mary*, born 26th May 1680; married to Fullerton of Dudwick. Ibid.

3. *Catherine*, born 4th October 1683; married, 4th January 1708, to Joseph Hume of Ninewells, in the county of Berwick, and had several children, among them David Hume the philosopher and historian. Ibid.

4. *Elisabeth*, born 7th October 1684; died unmarried. Ibid.

Kintore.

IX. DAVID, fifth Lord FALCONER of Halkertoun, the eldest son, born 1681; succeeded his cousin in title 1727; was a man of great honour, probity, and integrity; and died at Inglismaldie, on the 24th of September 1751, in the 71st year of his age. He married Lady Catherine Margaret Keith, eldest daughter of William, second Earl of Kintore. She was baptised at Keith Hall, on the 29th of June 1690; and was contracted in marriage with Mr Falconer, 27th November 1703, as appears from the registers of the parish of Keith Hall; of course she was only thirteen years and five months old when she was married. She died at Edinburgh, 1st March 1762, in the 72d year of her age, having had issue,

1. *Alexander*, sixth Lord Falconer of Halkertoun.

2. *William*, seventh Lord Falconer of Halkertoun.

3. Hon. *David* Falconer, an insurance-broker in London; died *in* Bury Court, St Mary Axe, 4th September 1775. He married Miss Lamplugh *of* Cumberland.

4. Hon. *John* Falconer, married Miss Nairne of Jamaica.

5. Hon. *George* Falconer of Phesdo, appointed captain in the royal navy, 27th April 1762; and died commander of the Invincible, at Portsmouth, 3d May 1780. He married Hannah, daughter of Ivie, Esq. of Ireland, relict of Lieutenant Hardy of the royal navy; and by her, who, 23d September 1786, married John Mill of Fearn, in the county of Forfar, had a son, George Falconer, Esq.

1. Hon. *Catherine* Falconer, died, unmarried, at Edinburgh, 1st December 1748.

2. Hon. *Jean* Falconer, married to James Falconer of Monktoun, in the county of Edinburgh, and Balnakettle, in the county of Kincardine. She died at Edinburgh, 16th February 1797, leaving two daughters: Catherine, married to Mackenzie of Allangrange; and Mary, married, 22d July 1773, to Sir James Colquhoun of Luss, baronet, coheiresses of their father's property, except Balnakettle, which went to the heir male, Patrick Falconer of Balnakettle, who died at Edinburgh, 26th October 1797, æta. 83.

3. Hon. *Mary* Falconer, died unmarried.

4. Hon. *Marjory* Falconer, married, at Inglismaldie, 28th April 1759, to George Norvell of Boghall and Deans, in the county of Linlithgow; and died at Deans, 18th November 1787, leaving one daughter, married to Captain Swindell.

Kintore.

X. ALEXANDER, sixth Lord FALCONER of Halkertoun, the eldest son, born about 1707; went abroad in early youth, and attached himself to Earl Marischal, and Field-Marshal Keith, with whom he remained till his father's death, in 1751, when he succeeded to the title; returned to Scotland; and died at Edinburgh, 5th November 1762, aged 55. He was a nobleman of a humane benevolent disposition, and married Frances, daughter of Herbert Mackworth of the Gnoll, in the county of Glamorgan; but had no children by her, who, 22d July 1765, became the wife of Anthony, Viscount Montague, and had issue.

X. WILLIAM, seventh Lord FALCONER of Halkertoun, succeeded his brother 1762. He was settled at Groningen, in Holland; and died there, 12th December 1776. He married a Dutch lady; and by her, who died at Groningen, 22d October 1779, had issue,

1. *Anthony Adrian*, eighth Lord Falconer of Halkertoun.

2. Hon. *William* Falconer, killed in battle at Quebec.

3. Hon. *Charles* Falconer.

XI. ANTHONY ADRIAN, eighth Lord FALCONER of Halkertoun, succeeded to that title 1776; and, on the death of George, Earl Marischal, in 1778, succeeded also to the estate and title of Kintore, and was fifth Earl of Kintore. He was generally esteemed for the probity of his heart, his engaging manners, and social life; and died at Keith Hall, 30th August 1804. He married Miss Christina Elisabeth Sighterman of Groningen, in Holland; and by her, who died at Edinburgh, 26th March 1809, had a son,

1. *William*, sixth Earl of Kintore;—and seven daughters,

1. Lady *Sibilla*, born 18th January 1768; died young.

2. Lady *Maria Rembertina*, born 8th February 1769.

Kintore.

3. Lady *Catherine Margaret*, born 3d June 1770.

4. Lady *Francina Constantia*, born 17th June 1771; died 4th December 1779.

5. Lady *Jean*, born 3d July 1772; died young.

6. Lady *Christina Elisabeth*, born 31st December 1774.

7. Lady *Helen*, born 30th August 1777; died young.

XII. WILLIAM, sixth Earl of KINTORE, born at Inglismaldie, 11th December 1766; after visiting several parts of Europe, was, for some years, an officer in the second regiment of dragoons, or Royal Scots Greys. His Lordship married, at Aberdeen, 18th June 1793, Maria, daughter of Sir Alexander Bannerman of Kirkhill, baronet, and has issue,

1. *Anthony Adrian*, Lord Inverurie, born 20th April 1794.

2. Lady *Maria*, born 2d May 1795.

3. Hon. *Alexander* Keith, born at Philorth, 11th October 1798.

4. Hon. *William* Keith, born 16th December 1799.

TITLES.—William Keith Falconer, Earl of Kintore, Lord Falconer of Halkertoun, Lord Keith of Inverurie and Keith Hall.

CREATIONS.—Lord Falconer of Halkertoun, 20th December 1647, to the first Lord and his heirs male whatsoever. Earl of Kintore, Lord Keith of Inverurie and Keith Hall, 26th June 1677, to the first Earl, and the heirs male of his body; new patent, or charter, 22d February 1694, to the heirs male of his body, and of the body of his brother, George, Earl Marischal; which failing, to the heirs female of his body, with other remainders, with the former precedency.

Kintore.

ARMS of KINTORE.—Quarterly: 1st and 4th, Gules, a sceptre and sword in saltire, with an imperial crown in chief, within an orle of eight thistles, Or, as a coat of augmentation for preserving the regalia of Scotland; 2d and 3d, Argent, a chief pally of six or and gules, for Keith.

CREST.—A demi-woman richly attired, holding in her right hand a garland of laurel, proper.

SUPPORTERS.—Two men in complete armour, each holding a pike, proper.

MOTTO.—*Quæ amissa salva.*

ARMS of HALKERTOUN.—Azure, a falcon displayed between three stars, argent; on his breast a man's heart, gules.

CREST.—An angel in a praying posture, Or, within an orle of laurel, proper.

SUPPORTERS.—Two falcons, *proper.*

MOTTO.—*Vive ut vivas.*

CHIEF SEATS.—Keith Hall, in the county of Aberdeen; Inglismaldie, in the county of Kincardine.

MACLELLAN, LORD KIRKCUDBRIGHT.

Kirkcudbright.

THE sirname of Maclellan is of great antiquity in the south of Scotland, where they were sheriffs of Galloway in antient times. Duncan Maclellan is mentioned in a charter of Alexander II. 1217, and Gilbert Maclellan obtained a charter of his lands from King David II. There were, according to Crawford, no fewer than twelve knights of that name, concerning some of whom he saw writings very considerable in the regency of Murdac, Duke of Albany.

Chartul. of Murray. D.

Kirkcudbright.

Robertson's Index, 33. Crawf. Peer. 237.

Kirkcudbright. Pinkerton, [illegible]

I. Sir PATRICK MACLELLAN of Bombie, nephew of Lord Gray, in the reign of King James II., was a person of such rectitude, that he refused to enter into an engagement with the Earl of Douglas to stand by him against all men, even the King. Douglas, irritated at his refusal, besieged Maclellan in his castle of Raeberry, forced him to surrender, took him to Douglas, and threw him into strict durance, in 1452. Upon hearing of this, Sir Patrick Gray obtained a letter from the King, requesting Douglas to deliver up his prisoner. Douglas was sitting at dinner when Sir Patrick arrived, invited him to partake with him, and privately gave an order to behead Maclellan; so that when Sir Patrick presented his letter, he found his kinsman a headless corpse; but his death was revenged by the murder of Douglas, the same year. Sir Patrick Maclellan was interred in the Abbey church of Dundrenan, where is a monument, thus inscribed: Hic jacet vir Honorabilis Dominus Patricius Maclellanus, Dominus de Wigton, et vicecomes Gallovidiæ, qui obiit MCCCCLII., cujus anima requiescat in pace.

His death was so deeply resented, that the Maclellans committed great depredations on the Earl of Douglas's lands, for which the Laird of Bombie and most of his friends were forfeited by James II. The barony of Bombie was, according to Sir George Mackenzie, again recovered by the Maclellans, after this manner: In the same reign, it happened that a company of Saracens, or gipsies, from Ireland, infested Galloway. Whereupon the King issued a proclamation, bearing, that whoever should disperse them, and bring in their captain, dead or alive, should have the barony of Bombie for his reward. A brave young gentleman, son of the Laird of Bombie, fortuned to kill the person for whom the reward was promised. He brought his head, on the point of his sword, to the King, and thereupon was immediately seized in the barony of Bombie; and to perpetuate the memory of that brave action, he took for his crest a Moor's head, on the point of a sword, and Think on, for his motto.

II. WILLIAM MACLELLAN of Bondby, had a charter of Lochfergus, and other lands, 14th May 1471*. His son and successor,

Kirkcudbright. Mag. Sig. L. vii. No. 195.

III. THOMAS MACLELLAN of Bondby, had charters of a tenement in Kirkcudbright, 22d March 1490, of the liberty of the water called the Kirkburn, with the power of building mills, 20th February 1491-2; of part of Lochfergus, of Bardrochwood, Corsby, Chapeltoun, and Barfalgayk, 5th February 1492-3; of Garcrogo, 18th August 1495; and he died about 1504. He married Agnes, daughter of Sir James Dunbar of Mochrum, by whom he had three sons,

L. xii. No 288, 344. L. xiii. No. 44, 45, 46, 242.

1. Sir *William*.

2. *Gilbert*, ancestor of the present Lord Kirkcudbright.

3. *John* Maclellan of Auchlane, whose male line becoming extinct, his estates returned to the family.

IV. Sir WILLIAM MACLELLAN of Bombie, the eldest son, had a charter of the lands of Polmady, 12th December 1505. He fell at the battle of Flodden, 9th September 1513, leaving, by Elisabeth Mure, his wife, a son and successor,

L. xvi. No. 52.

V. THOMAS MACLELLAN of Bombie, who had a charter of the lands of Blackmark and others, 11th November 1521. He was killed on the High Street of Edinburgh, 11th July 1526, by the Barons of Drumlanrig and Lochinvar, his potent neighbours, with whom he had a feud, leaving a son,

L. xx. No. 95. Crawf. Peer. 238.

VI. Sir THOMAS MACLELLAN of Bombie, then in minority, who, in 1542, had a charter from Queen Mary, of all the lands which had belonged to Thomas Maclellan of Bombie, his father, or which Sir William, his grandfather, had died possessed of. He had a charter of the ground on which the buildings and church of the

Ibid. Mag. Sig. L. xxxii. No. 77.

* A charter was granted to John Maclellan, son of Dungall Johnstoun, of the lands of Balmaclellan, about 1466. Mag. Sig. L. vii. No. 110. Donald Maclellan of Gyliston, had a charter of the lands of Kirkcormok, 27th November 1475. Ib. No. 357. Several charters to the Maclellans of Gyliston, or Gilston, occur in the records.

Kirkcudbright.

friars of Kirkcudbright had been constructed, 6th December 1569, and married Helen, daughter of Sir James Gordon of Lochinvar, by whom he had a son,

VII. Sir THOMAS MACLELLAN of Bombie, who succeeded him, and had charters of the lands of Bombye, Skelrie, &c. 11th February 1591-2; of Kirkchrist, 26th December 1593; of Balgreddane, to him and Robert, his son and heir apparent, 7th June 1595; and of Auchinflour, of the same date. He died in July 1597, and was buried in the church of Kirkcudbright, where is a monument, thus inscribed:

Mag. Sig. L. xxxvii. No. 458. L. xxxix. No. 136. L. xl. No. 130, 207.

Hic situs est D. T. Maclellanus et uxor
D. Grisel Maxwell. Marmor utrumque tegit.
His genitus R. L. Kirkcubrius, ecce sepulchrum
Posuit hoc, chari patris honore sui.

By Grisel Maxwell, his wife, daughter of John, Lord Herries, he had three sons,

1. Sir *Robert*.
2. *William* of Glenchannoch.
3. *John* of Bourg.

VIII. Sir ROBERT MACLELLAN, the eldest son, had a charter Roberto, filio et heredi apparenti Thomæ Maclellan de Bombie, of the barony of Bombie, 5th June 1597, was served heir of his father, 5th July 1608; had charters of the lands of Culcraigies, &c. 4th August 1610; of Twyname, 28th June 1614; and of Corss, 11th September 1616. He was one of the gentlemen of the bedchamber to King James VI., and continued in the same office by King Charles I., who created him a peer, by the title of Lord Kirkcudbright, 25th May 1633, to him and his heirs male, bearing his name and arms. He died 1641, having married, first, Margaret, sixth daughter of Sir Matthew Campbell of Loudoun, by whom he had a daughter,

L. xli. No. 161. Inq. Ret. iv. 223. Mag. Sig. L. xlvi. No. 170. L. xlvi. No. 315. L. xlviii. No. 109.

Anne, married to Sir Robert Maxwell of Orchardtoun.

Secondly, Mary Montgomery, daughter of Hugh, Viscount Airds, of the kingdom of Ireland, without issue. In terms of the patent, the title devolved on the heir male, son of

VIII. WILLIAM MACLELLAN of Glenshannoch, second son of Sir Thomas of Bombie, who was father of

IX. THOMAS, second Lord KIRKCUDBRIGHT, who succeeded his uncle, 1641, was a steady royalist; and died in May 1647, without issue by his wife, Lady Janet Douglas, second daughter of William, first Earl of Queensberry, who died in 1651. His uncle,

Kirkcudbright.

VIII. JOHN MACLELLAN of Bourg, third son of Sir Thomas of Bombie, had two sons,

1. *John*, third Lord Kirkcudbright.
2. *William* of Auchlean.

IX. JOHN, third Lord KIRKCUDBRIGHT, the eldest son, was served heir of his cousin, Thomas, Lord Kirkcudbright, 13th December 1653; raised a regiment of foot for the service of King Charles II., which brought a great burden of debt on him, and ruined the estate. He died 1664, leaving, by Anne, his wife, daughter of Sir Robert Maxwell of Orchardtoun, a son,

X. WILLIAM, fourth Lord KIRKCUDBRIGHT, who died, under age, and without issue, in 1669. In his minority the whole estate was carried off by legal diligence, at the instance of his father's creditors; so that, upon his death, when the succession opened to his cousin-german, John Maclellan, there being nothing left to support the dignity, which this John, then under age, never, for ought now appears, took upon him; and he likewise dying in minority, and without issue, the guardians of his only brother, James, for the same reason, thought it equally improper for him to assume it, whereby the Lords Kirkcudbright do not appear as sitting in parliament from the time of John, the third Lord. But the right of the collateral heir male was so universally known and acknowledged, that, at the union, this peerage was considered as a subsisting one, and as such preserved in the roll.

Case of Lieutenant John Maclellan of the 30th regiment of foot, claiming the title, honours, and dignity of Lord Kirkcudbright.

IX. WILLIAM MACLELLAN of Auchlean, second son of John Maclellan of Bourg, and brother of John, third Lord Kirkcudbright, died before 1669. He had two sons,

Ibid.

1. *John* Maclellan of Auchlean, who was

Kirkcudbright. entitled to succeed as fifth Lord Kirkcudbright, 1669, but did not assume the title; and died under age and without issue.

2. *James.*

X. James Maclellan of Auchlean, the youngest son, born 1661; did not assume the title of Lord Kirkcudbright till the keenly contested struggle for a representative of the Scotish peerage betwixt the Earls of Eglintoun and Aberdeen, 1721. His vote was protested against, because, past memory of man, neither he nor any of his ancestors had claimed a seat in parliament; because it did by no means appear that the person claiming to vote is the heir of the patent; and because the late Lord Kirkcudbright disponed and resigned his honours in favour of Sir Samuel Maclellan, so that any person claiming under him might be barred. The disposition, it was stated, would, in proper time, be produced. An objection was also taken to the certificate, his qualifying being taken not in a sheriff court, but in the steward court of Kirkcudbright. His Lordship voted at all elections subsequent to 1721, viz. in 1722, 1723, and 1727; and was, 15th February 1729, served nearest and lawful heir male to his uncle, John, Lord Kirkcudbright. His Lordship died 1730, leaving three daughters,

Robertson's Proceedings, 94

1. Hon. *Margaret* Maclellan, who died 1741. She married Samuel Brown of Mollance, in the stewartry of Kirkcudbright, who died 1740. They had an only daughter, Henrietta, married to Sir Thomas Maxwell of Orchardtoun, baronet; both died in 1761, without issue.

2. Hon. *Mary* Maclellan, died unmarried.

3. Hon. *Janet* Maclellan, who married William Maxwell of Milton. They had a son, Robert Maxwell, born 1735; and a daughter, Elisabeth, married to Samuel Kirpatrick in Auchlean.

Lord Kirkcudbright having no male issue, the title, honour, and dignity devolved on William Maclellan, the heir male of the body, by lineal descent from eldest son to eldest son, of

Kirkcudbright Case. IV. Gilbert Maclellan, second son of Sir Thomas Maclellan of Bomby.

(No. III.) In a lease in the General Register, 1503, he is designed second son of the said Sir Thomas; and in a charter to John Dunbar of Mochrum, he is designed brother-german to Sir William Maclellan of Bombie, 1506. He lived down to 1544; and married, before 1517, Margaret, daughter of Lord Herries. She died about 1534. They had a son, Kirkcudbright.

V. William Maclellan, designed son and apparent heir of Gilbert, in a lease of the lands of Grange Sennick, to him and his father, 1534. He got the lease renewed, 1565; acquired the lands of Grange Sennick, alias Balmangan, of which he got a charter, 30th March 1588 *, and lived down to 1612. He married Margaret Gordon, and had a son, Kirkcudbright Case.

Mag. Sig. L. xxxvii. No. 60.

Thomas;—and two daughters,

1. *Agnes*, married, before 1571, to John Levenax of Callie.

2. *Helen*, married, about 1593, to Alexander Muir of Cassencarie.

VI. Thomas Maclellan of Balmangan, the only son, is witness to a charter, 1573, being then designed son and apparent heir of William of Balmangan. Thomas Maclellan, apparent of Balmangan, had a charter of the lands of Balma, Balfron, and part of Dunrod, 24th December 1591. There is a charter of the said William Maclellan, with consent of Margaret Gordon, his wife, to Thomas, his son and apparent heir, of the lands of Balmangan, 1605. He was served heir of William Maclellan of Balmangane, his father, 31st July 1606; and died between March 1629, and June 1635. By his first wife, whose name does not appear, he had three sons, Kirkcudbright Case.

Mag. Sig. L. xxxviii. No. 133.

Inq. Ret. iii. 228.

1. *James.*

2. *William*, mentioned in a charter 1606.

3. *Thomas*, mentioned in the same charter.

He married, secondly, Florence Macghie, widow of James Charteris, son and heir apparent of Robert Charteris of Kelwood, and of Roger Gordon of Whitepark, who

* William Maclellan, in Balmangan, had a charter of Drumrukcalzie, 31st July 1587. Mag. Sig. L. xxxvi. No. 521. William Maclellan, in Nether Sennick, had a charter of half of Nether Sennick, 10th August 1598. L. xxxvii. No. 484.

Kirkcudbright. was her husband, 1598. She survived her third husband, and was alive 1635.

Inq. Ret. iii. 228. VII. James Maclellan of Balmangan, the eldest son, is mentioned in a record, 1603, and is designed younger of Balmangan, in a sasine 1622. He died after 1637, having married between 1600 and 1610, Jean Charteris, daughter of his stepmother, Florence Macghie, by whom he had a son,

Ibid. VIII. Robert Maclellan of Balmangan, described as son and apparent heir of James, in a lease, 1637. He became cautioner for some of his cousin, Lord Kirkcudbright's debts. He had in consequence the estate apprised from him, by decreet of the Lords of Session, 1666. He afterwards acquired Borness; was designed by that title; and died in December 1690. He had a son,

Ibid. IX. William Maclellan of Borness, mentioned 1633. He married, contract dated 1672, Agnes, eldest daughter of William Maculloch of Nether Ardwall. He died between January and July 1694. She died 1695. Their only son,

Ibid. X. William Maclellan of Borness, was served heir to his father, 31st July 1696; and was still under age in 1709. On the death of James, fifth Lord Kirkcudbright, in 1730, he assumed the title, and was served nearest and lawful heir male to him, 9th April 1734. He voted, Robertson's Proceedings, 183. as Lord Kirkcudbright, at elections of representative peers, 1737, 1738, and 1739. At the general election, 1741, a protest was entered by James Maclellan, eldest son of the deceased Sir Samuel Maclellan, provost of Edinburgh, against his vote. Both William and James were present at this election, and both voted as Lord Kirkcudbright. At the election, 30th April 1742, the following protest was entered: Ibid. 237. I, William, Lord Kirkcudbright, formerly William Maclellan of Bourness, heir served and retoured to the deceased James, last Lord Kirkcudbright; and so having right to the honours and peerage, of which he the said James died possessed, hereby protest against James Maclellan, eldest son of the deceased Samuel Maclellan, merchant, and some time provost of Edinburgh, that he the said James Maclellan, cannot be allowed to vote at this or any succeeding election of a peer or peers, by the title of Lord Kirkcudbright, because he the said James Maclellan, having presented to his Majesty a petition, setting forth, that he could make it appear, by authentic documents, that he was the nearest heir male existing, to Sir Robert Maclellan of Bombie, first Lord Kirkcudbright, and that thereby he had undoubted right to the honour and dignity of the said peerage; and therefore humbly praying, that his Majesty might be pleased to direct an inquiry to be made into his, the said petitioner's, right to the said dignity of peerage, in such manner as to his Majesty should seem proper: in compliance with which petition, his Majesty, by a reference dated at Whitehall, 28th April 1736, directed the Lord-Advocate and Solicitor-General for Scotland, to consider of the said petition, and report their opinion what might be fitting for his Majesty to do therein. That the said James Maclellan having presented the above petition, and reference thereon, to the Lord-Advocate and Solicitor-General for Scotland, together with certain documents in writing, for instructing his being the nearest heir male to the first Lord Kirkcudbright, that they might determine thereon, and report their opinion to his Majesty, they, the said Lord-Advocate and Solicitor, by report, bearing, that upon due consideration had of the said writings laid before them, by the said James Maclellan, certified to his Majesty, that he the said James Maclellan, had not made good the allegation in his said petition, to wit, that he was nearest heir male existing to Robert, first Lord Kirkcudbright, and in consequence his claim to the peerage fell to the ground; and therefore the said James Maclellan's claim to the peerage has received a final determination; therefore I protest that the said James Maclellan be debarred from voting at this or any ensuing election. Immediately afterwards, an unsigned note was presented, in these words: I, James, Lord Kirkcudbright, do vote at this election for the Marquis of Tweeddale, and protest, that William Maclellan, pre-

Kirkcudbright. tending to the title of Lord Kirkcudbright, has no right thereto. Both William and James were present, and both voted as Lord Kirkcudbright. James never appeared again; William was present at all subsequent elections, including the general election, 1761, except that of 12th October 1744, and voted as Lord Kirkcudbright. But, 14th December 1761, the House of Lords ordered him "not to pre-"sume to take upon himself the title, ho-"nour, and dignity of Lord Kirkcudbright, "until his claim shall have been allowed in "due course of law." He died soon afterwards. By his wife, Margaret Murray, he had issue,

1. Master of Kirkcudbright, who died at Edinburgh, in March 1741.

2. *John*, seventh Lord Kirkcudbright.

3. Hon. *Dunbar* Maclellan, who was appointed a captain in the royal navy, 30th April 1782, being then in the East Indies. He was captain of the Superb, the flag-ship of Sir Edward Hughes, and killed, 6th July 1782, in the second engagement with the Bailli de Suffrein. Sir Edward, in his public dispatches, observes, "the death of "Captain Maclellan of the Superb, who "was shot through the heart with a grape-"shot, early in the engagement, is univer-"sally regretted by all who knew him. He "had experienced in him an excellent of-"ficer in every department of the ser-"vice."

XI. John, seventh Lord Kirkcudbright, the eldest surviving son, was an officer of the 30th regiment of foot, in which he had the commission of ensign, 1756, and lieutenant, 1758. At his father's death, he was abroad on the public service. On his return home, he presented to the King's most excellent Majesty, the humble petition of John Maclellan, claiming the title, honours, and dignity of Lord Kirkcudbright, praying his Majesty to declare and establish his right and title to the said honour and dignity of Lord Kirkcudbright. This petition being referred to the House of Lords, it was, 3d May 1773, resolved, that the petitioner, John Maclellan, hath right to the title, honour, and dignity of Lord Kirkcudbright, claimed by his petition. His Lordship was, 14th May 1773, presented to the King at St James's, and most graciously received. He had a company in the 30th regiment of foot, 1774; and exchanged it for a lieutenancy of the third regiment of foot-guards, 1776. He had a company in that regiment, with the rank of lieutenant-colonel, 1784; and retired from the service 1789. His Lordship died in Hereford Street, London, 24th December 1801, in the 73d year of his age, having married Miss Bannister of Hampshire; and by her, who died in Manchester Square, London, 15th June 1807, had issue, Kirkcudbright.

1. *Sholto Henry*, eighth Lord Kirkcudbright.

2. Hon. *Camden Grey* Maclellan, born 20th April 1774; an officer in the second, or Coldstream regiment of foot-guards, in which he had the commission of ensign, 1792; lieutenant, 1794; and quitted the service, 1803.

Daughter, Hon. *Elisabeth* Maclellan, born 18th April 1769; married, 21st May 1795, to Finlay Fergusson, Esq. of Hinde Street.

XII. Sholto Henry, eighth Lord Kirkcudbright, born 15th August 1771; succeeded his father 1801.

Title.—Sholto Henry Maclellan, Baron of Kirkcudbright.

Creation.—Lord Kirkcudbright, 25th May 1633, to the first Lord, suis que heredibus masculis, cognomen et arma dicti Domini Roberti gerentibus.

Arms.—Argent, two chevrons, sable.

Crest.—A naked man, supporting on the point of a sword a Moor's head, Or, a mortar piece.

Supporters.—Dexter, a man armed at all points, holding a baton in his hand; sinister, a horse, furnished.

Motto.—*Think on. Superba frango.*

Robertson, 328, where the petition is printed at length.

Ib. 373.

MAITLAND, EARL OF LAUDERDALE.

Lauderdale.

OF this distinguished family, apparently of Anglo-Norman lineage, the first on record is

I. THOMAS DE MATULANT, who witnessed a charter of the lands of Rasan to John Landales, the heir and successor of William, the son of John, the son of Orme, in the end of the reign of King William the Lion. He died in 1228, leaving a son,

Chartul. of Melrose, penes Macfarlane. D.

II. WILLIAM DE MATULANT, who is witness to several of the charters of King Alexander II. He witnessed a charter of Thomas, son of Reginald de Bosco, to the abbacy of Kelso, to which William de Bosco, chancellor of Scotland, from 1211 to 1226, is a witness; and he appears again as a witness to another charter, to the same monastery, along with William de Bosco, chancellor. He witnessed a charter of Richard le Bard to the same monastery, dated at Lesmagu, 1228; a charter of Herbert, Abbot of Kelso, between 1231 to 1236; and a donation by David, Bishop of St Andrews, 1240. He died about 1250, leaving a son,

Chartul. of Kelso, 29, 160, 203, 315, 345, 373, 374. D.

III. Sir RICHARD DE MAUTLANT, who, in the reign of King Alexander III., was in possession of the lands and baronies of Thirlestane, Blyth, Tullos, Hedderwick, and other property in the shire of Berwick. He gave to the monks of Dryburgh his lands of Haubentside, in his territory of Thirlestane, for the welfare of his soul, and the souls of Avicia, his wife, his predecessors and successors, also the whole lands that Walter de Giling held in his fee of Thirlestane, and pasturage in the common of Thirlestane, for forty sheep, sixty cows, and twenty horses. Patrick, Abbot of Kelso, who held that office from 1258 to 1260, and the convent thereof granted a bond, obliging themselves not to prejudice Roger de Quincy, Earl of Winchester, by an agreement betwixt them and Sir Richard Maitland, and William, his eldest son, concerning the lands of Hedderwick and pasturages of Thirlestane and Blyth. There is also an indenture betwixt Sir Richard Maitland, knight, on the one part, and Joannem Anglicum on the other part, concerning the warrandice of a charter granted by Thomas de Thirlestane, together with the said Sir Richard, his confirmation of the pasturage common of Thirlestane and Lamlech. By the said Avicia, his wife, he had a son,

Chartul. of Dryburgh, penes Macf. 78 and 79. D.

Act of Parliament ascertaining the Writs of the Family, MS. penes Com. Lauderdale, 8. D.

Lauderdale. Acts of Parliament ascertaining the Writs of the Family, MS. penes Com. Lauderdale, 8. D.

IV. WILLIAM DE MAUTLANT, who ratified and confirmed to the monastery of Dryburgh, all the lands which Sir Richard Maitland, his father, gave to the said monastery, in his territory of Thirlestane. He also confirmed, to the same monastery, a donation of part of the lands of Bissinghame. He joined King Robert Bruce, and died about 1315. His son,

Chartul. of Drybrugh, 80, 82, 88. D.

V. Sir ROBERT MAITLAND, had possession of the lands of Thirlestane, in his father's lifetime, as appears from a resignation of William, the son of Edward, into his hands, of all the lands which he held of Sir Robert, in the territory of Thirlestane, 1293. He witnessed a charter of John Maxwell of Pencaitland to the abbacy of Drybrugh, 1340. Among the missing charters of King David II., is one to Robert Maitland of Thirlestane, of the lands of Ladytoun, Lagbie, and Boltoun, on the river Tyne. He had a charter of the lands of Leithington from Sir John Gifford of Yester, confirmed by King David II., 17th October 1345; and he fell at the battle of Durham, with a brother of his whose Christian name is not mentioned, 17th October 1346. He married a sister of Sir Robert Keith, Marischal of Scotland, who fell in the same battle, and had issue by her,

Writs of the Family, p. 9. D.

Chartul. of Drybrugh. D.

Robertson's Index, 33.

MS. Writs of the Family. D.

Dalr. Ann. III. 109.

1. *John.*

2. *William*, who is witness to a charter of Robert Lauder of Quarrelwood, with his brother John, in the reign of King David II. William Maitland had a charter of the bondage lands of Traquair, and sun-

Carta penes Lauder de Fountainhall. D.

Robertson's Index, 37.

Lauderdale. ...ry others, Innerleithen, and Ormbuchstane, on the resignation of Edward Keith, in the same reign. King Robert III. granted a charter, ratifying the grants and infeftments which Thomas Mautalent of Halsyngton made to William Mautalent, his son and heir, and Elisabet, filia Willielmi, dicti Watson, of his lands of Schelynlaw, Troucqwair, and Inverlethane, and the agreements made betwixt the said Thomas Mautalent and William, called Watson, concerning the marriage to be contracted betwixt the said William Matulent and Elisabet, daughter of the said Watson.

Reg. Mag. Sig. 206.

Cart. in Pub. Arch. D.

8. *Robert*, who married the heiress of Gight, in Aberdeenshire, and was ancestor of the Maitlands of Pitrichie *.

VI. JOHN MAITLANT of Thirlestane, the eldest son, in the reign of King David II., obtained a charter of the lands of Cowanstoune from Robert Keith, Marischal of Scotland, wherein he is designed sister's son of the Marischal. He had a charter of the lands of Leghmure, in Colbowston, in Lanarkshire, from David II. He had a safe conduct to go to England, 1363; and had a charter of the lands of Thirlestane and Tollons, 1379. William, Earl of Douglas, in 1384, granted a charter of these lands to John Maitlant, on his own resignation, and to Robert, his son, procreate betwixt him and Agnes Dunbar his wife. In a charter of confirmation, of a donation of the lands of Snowden to the monastery of Drybrugh, for the welfare of his soul, the souls of his wife, his father, and mother, he is designed John de Matulant, Lord of Thirlestane, son and heir of Robert Maitland, formerly Lord of the same. He died about 1395, leaving, by his wife, Lady Agnes Dunbar, daughter of Patrick, Earl of March, a son,

Robertson's Index, 58 and 40.

Rymer, VI. 428. D.

Writs of the Family. D.

Chartul. of Drybrugh, 216. D.

VII. Sir ROBERT MAITLANT of Thirlestane, who, when his uncle, George, Earl of March, left Scotland in disgust, 1400,

Fordun, II. 428.

* Alexander Maitland, probably a son of Sir Robert, obtained from King David II., a grant of the third part of the half of the barony of Ardross, in Fife, and the third part of the barony of Curry, in the shire of Edinburgh, forfeited by John Burnard; but this grant was revoked by the same monarch, 17th March 1367-8. Reg. Mag. Sig. p. 62.

was left in charge of his castle of Dunbar, which he surrendered to King Robert III. He died about 1434, having had three sons,

Lauderdale.

1. *Robert*, who, under the designation of Robert, eldest son and heir Domini Roberti de Mautalent, was one of the hostages for the ransom of King James I. 1424, when his annual revenue was estimated at 400 marks. He died before his father, without issue.

Pinkerton, I. 456.

2. *William.*

3. *James*, who married Egidia, daughter of James Scrimgeour of Dudhope, constable of Dundee; and had a charter to James Maitlant, brother-german of William Maitlant of Thirlestane, and Egidia Scrimgeour, his wife, of the lands of Auchinbreck, &c. in the barony of Tiberis, in Dumfries-shire, to return to William, failing heirs of the body of James, granted by his said brother, 3d January 1450-1. Robert, son of James, had a charter of the castle, lake, and mount of Tiberis, 1494. His son, John, had a charter of the same from King James V.; and from him the Maitlands of Eccles, and other families of that name, are descended.

Mag. Sig. L. iv. No. 144.

VIII. WILLIAM MAITLAND of Thirlestane and Leithington, the eldest surviving son and heir, had a charter from Archibald, Earl of Douglas, to him and Margaret Wardlaw, his wife, of the lands of Blythe, Hedderwick, Tullos, and Burncleugh, dated 23d March 1432. He lived after 1460, and left issue by the said Margaret Wardlaw, a son,

Writs of the Family, 9. D.

John;—and a daughter,

Margaret, married to John Edmonstone of Edmonstone.

Carta in Pub. Arch. Ad. An. 1496.

IX. JOHN MAITLAND of Leithington and Thirlestane, the only son, died before 1471, when Duncan of Dundas appears as curator of William Mateland of Leithington, in a civil suit, and again in 1476. His successor,

Acta Auditorum, 15, 44. Rec. Parl. 166, 204.

X. WILLIAM MAITLAND of Leithington and Thirlestane, was under age in 1471 and 1476, as appears from his having a curator to act for him. He was father of

Ibid.

XI. WILLIAM MAITLAND, who got a

Lauderdale.

Writs of the family. D.

bond from Thomas Cockburn of Newbigging, to keep him free at the king's hands for the ward and relief of the lands of Gargouzie, in the barony of Tiberis, since the death of William, his great grandfather, dated 19th September 1506; and another from Sir William Douglas of Drumlanrig to warrant him, at the king's hands, and the free tenants of the barony of Tiberis, from all danger of recognition, dated 10th February 1508. He was killed at the battle of Flodden, 9th September 1513, having married Martha, daughter of George Lord Seton, by whom he had a son,

Sir *Richard*; and a daughter,

Janet, married to Hugh, fifth Lord Somerville.

Crawf. Peer. 251. Mag. Sig. L. xxvi. No. 51. L. xxx. No. 761. L. xxxi. No. 377.

XII. Sir Richard Maitland of Leithington and Thirlestane, was served heir of his father, William, 15th October 1513. He had charters of the lands of Blyth and Garmuire, in Lauderdale, 24th July 1537; of part of the same lands, 26th March 1552; and of Thirlestane, 12th April 1557; all to him and Mariot Cranstoun his wife. He was one of the commissioners appointed to adjust the differences with the English about the debateable lands on the borders 1552, and again in 1560; was constituted one of the extraordinary lords of session, 13th November 1554; one of the ordinary lords, 12th November 1561; and received the appointment of keeper of the privy seal, 20th December 1562, which he resigned in favour of his second son in 1567. He obtained a ratification in parliament, 19th April 1567, of a charter of the lands of Blyth, Thirlestane, Wantoun-wallis and Camlache in Lauderdale, to him and William, John, and Thomas, his sons, and the heirs-male of their bodies respectively, which failing, to John Maitland, son and heir-apparent of John Maitland of Auchingaf hill, dated 20th February 1563-4, for the good, true, and thankful service done to the Queen. He resigned his seat on the bench in July 1584; on which occasion King James VI. wrote a letter, bearing that Sir Richard Maitland had served his grandsire, goodsire, goodame, mother, and himself, in many public charges, whereof he dutifully and honestly acquitted himself; and, having been many years a senator, he has, with much sincerity and integrity, served therein; and being grown greatly debilitated through age, though nothing in spirit and judgment, whereupon the lords have granted him immunity and licence to attend when he pleases, having all commodities as if he were present, yet moved in conscience, lest justice should be retarded in his absence, he has willingly demitted his room in our hands in favour of Sir Lewis Bellenden. The salary was reserved to Sir Richard Maitland for his life. James IV., the king's grandsire, (or great grandfather,) was slain in 1513, so that Sir Richard was employed in public offices for upwards of seventy years. His advice to Queen Mary deserves to be recorded as the advice of a judicious and faithful counsellor, that she must see her laws kept, or else she would get no obedience. He wrote the History of the family of Seton; Decisions of the Court of Session, from 15th December 1550 to 30th July 1565, M. S. in the Advocates' Library; Poems on several subjects, edited by Pinkerton, 1786; and died on the 1st of April 1586. By Mary, his wife, daughter of Sir Thomas Cranston of Corsbie, he had issue,

Rymer xv. 319, 509. D.

Hailes's Catalogue.

Rec. Parl. 753. Mag. Sig. L. xxxii. No. 442.

Hailes's Catalogue.

1. *William.*

2. Sir *John.*

3. *Thomas*, prolocutor with George Buchanan in his Treatise de Jure *Regni* apud Scotos. Crawf. Peer. 252.

1. *Helen*, married to Sir John Cockburn of Clerkington.

2. *Isabel*, married to James Heriot of Trabroun, from whom she had a charter of Arrous and Elvingston, 20th January 1586-7. Mag. Sig. L. xxxvi. No. 261.

3. *Mary*, married to Alexander Lauder of Hatton. Maria Maitland, legitimate daughter of Sir Richard Maitland of Leithington, had a charter from William Sinclair of Herdmanstoun, dated 4th May 1569, of an annualrent of 110 marks out of the lands of Herdmanstoun; and she had another, charter confirming an annualrent of 100 marks out of the lands of Balerno and Kirknewton, 1st December 1580. Mag. Sig. L. xxv. No. 406. L. xxxv. No. 217.

4. *Elisabeth*, married to William Douglas of Whittinghame, a lord of session from 1575 to 1590.

XIII. William Maitland, younger of

Lauderdale.

Leithington, the eldest son, had a charter from John Menteth of Kerse, to him and Jonet Menteth his wife, of the lands of Neyer Mongall in Stirlingshire, dated 10th November 1553; he also had charters of Tynninghame, 5th April 1563; of a third part of the lands of Bolton, 11th April 1564; of the lands of Darnyk from Michael, commendator of Melrose, 30th June 1564; of Bagby, in the constabulary of Haddington, 15th December 1564, with remainder to John and Thomas his brothers; of Stevenstoun and Garvet in the same constabulary, and Symprin in the shire of Berwick, to him and Mary Fleming, his wife, 13th and 14th June 1569. He had early applied to public business admirable natural talents, improved by an acquaintance with the liberal arts; and, at a time of life when his countrymen of the same quality were following the pleasures of the chase, or serving as adventurers in the armies in France, he was admitted into all the secrets of the cabinet, and put upon a level with persons of the most consummate experience in the management of affairs. He possessed, in an eminent degree, that intrepid spirit which delights in pursuing bold designs, and was no less master of that political dexterity which is necessary for carrying them on with success. All the contemporary writers, to whatever faction they belong, mention him with an admiration which nothing could have excited but the greatest superiority of penetration and abilities. He had the appointment of secretary of state 1558, of extraordinary lord of session, 12th November 1561, and of ordinary lord, 12th January 1565.

Mag. Sig. L. xxxi. No. 158. L. xxxii. No. 14, 109, 110, 328, 598, 670.

Robertson, i. 211.

Haile's Catalogue.

He adhered to the queen-mother till 1559, when his zeal for the reformed religion, together with his warm remonstrances against the violent measures which she was carrying on, exposed him so much to her resentment, that he, suspecting his life to be in danger, fled to the lords of the congregation, and they, with open arms, received a convert, whose abilities added both strength and reputation to their cause. He was, by them, sent ambassador to Queen Elisabeth, to implore her assistance, which was obtained. When Queen Mary arrived in Scotland, 1561, she sent Maitland ambassador to Queen Elisabeth. Maitland attended Mary on her progress to the north, 1562, was again sent ambassador to England the same year. At a meeting of the general assembly 1564, Maitland publickly accused Knox of teaching seditious doctrine, which gave occasion to a controversy betwixt them. He was dispatched to England, 1565, to signify to Elisabeth the marriage of Queen Mary to Darnley. On the imprisonment of Mary in 1567, he proposed that, after providing for the safety of the young prince, and the security of the protestant religion, the Queen should be re-established in her authority. When the regent, Moray, went up to England in 1568, to accuse Mary, Maitland was appointed to attend him, although he had warmly remonstrated against this measure; but the regent could not, with safety, leave behind him a man whose views were contrary to his own; and who, by his superior abilities, had acquired a great influence in the nation. Maitland projected a marriage betwixt Queen Mary and the Duke of Norfolk, as a probable device for restoring her to liberty, and replacing her on the throne. On his return to Scotland in 1569, Maitland was the soul of the queen's party, and fomented the spirit of disaffection; the regent, therefore, had him apprehended at Stirling, as accessary to the murder of Darnley; and he was sent to Edinburgh, where he would have been brought to trial, had not Kirkaldy, governor of the castle, by pretending a warrant for that purpose, got him out of the hands of those to whose care he was committed, and conducted him to the castle, which, from that time, was entirely under Maitland's command. After the murder of the regent Moray, a convention of nobles was held 12th February 1570; Maitland, whom Kirkaldy had set at liberty, obtained from them a declaration acquitting him of the crime laid to his charge, and endeavoured to bring about a coalition of the two parties, by proposing to admit the queen to the joint administration of government with her son. But his efforts were unavailing; and, when Lennox was chosen regent, Maitland was deprived of his office of secretary, and proclaimed a traitor to his country; and he was attainted in a parliament held in the Canongate, 14th May 1571. The regent, Marr, in

Robertson, i. 210.

Lauderdale.

Robertson, i. 308.

Lauderdale. 1572, laboured with the utmost zeal for a pacification; Maitland and Kirkaldy came so near to an agreement with him, that scarce any thing remained except the formality of signing the treaty. But this was frustrated by the Earl of Morton, who was jealous of Maitland's abilities and influence. Maitland was in the castle of Edinburgh when it surrendered, 29th May 1573; Kirkaldy, the governor, was executed; and Maitland, who, from the personal implacable enmity of the regent, Morton, did not expect to be treated more favourably, prevented the ignominy of a public execution by a voluntary death, and ended his days, says Melvil, after the old Roman fashion, 9th June 1573. He married, first, Janet Menteth, without issue; secondly, at Stirling, 6th January 1567, Mary, daughter of Malcolm, third Lord Fleming, by whom he had a son, *James*, who being a Roman Catholic, went abroad, and sold his estate of Leithington to his uncle Sir John; he was alive 1620; his letter to Camden is dated at Brussels that year; he died without issue by his wife, Agnes Maxwell, who had a charter to Agnes Maxwell, wife of James Maitland, son and heir apparent of William Maitland, younger of Leithington, of the lands of Stevenston in the county of Haddington, for her life, 14th February 1592-3; and a daughter, *Margaret*, married to Robert, first Earl of Roxburgh, she had a charter of the barony of Cessford, 8th April 1588, being therein designed wife of Robert Ker, fiar of Cessford. A rehabilitation, under the great seal, was granted to the wife and heirs of the deceased William Maitland, younger of Leithington, 19th February 1583-4.

Mag. Sig. L. xxxix. No. 40.

L. xxxvii. No. 21.

L. xxxvi. No. 571.

XIII. Sir JOHN MAITLAND, second son of Sir Richard, obtained the abbacy of Kelso, in commendam, which he exchanged with Francis Stewart, afterwards Earl of Bothwell, for the priory of Coldingham; and he had a letter of provision under the great seal, of the said priory and monastery for his life, 8th March 1565-6. He was appointed keeper of the privy seal on his father's resignation, 26th August 1567, and constituted an ordinary lord of session, 2d June 1568. He was forfeited for his adherence to the queen's party 1570; deprived of his offices and benefice, and took refuge in the castle of Edinburgh. On its surrender in 1573, he was sent prisoner to Tamtallon; but, on the 15th of February 1573-4, the council passed an act allowing him to remain with Hew Lord Somervell, at his house of Couthelie, and two miles thereabout, under penalty of L.10,000. He remained there till the fall of the regent Morton; an act of council was passed 15th February 1578-9, declaring him relieved of his ward, and at liberty to resort to any place of the realm at his pleasure. A letter of rehabilitation of John Maitland, formerly commendator of Coldingham, passed the great seal 17th February 1580-1.

Crawf. Off. St. 142.

Mag. Sig. L. xxxii. No. 370.

Lauderdale.

Mag. Sig. L. xxxv. No. 295.

He was re-appointed a lord of session, 26th April 1581; was knighted, and constituted secretary of state for life, by letters patent, dated 18th May 1584. He laboured earnestly to bring about a reconciliation with the exiled nobles, when they came into Scotland, 1585, which he happily effected, so much to the satisfaction of the King, that, by commission dated 31st May 1586, Sir John Maitland was appointed keeper of the great seal for life, with the title of vice-chancellor.

Mag. Sig. L. xxxvi. No. 144.

The next year, 1587, Captain Stewart, formerly Earl of Arran, offered to prove that Sir John Maitland was accessary to the death of Queen Mary, and had even formed a design of delivering up the King himself into the hands of the English. But instead of gaining his point, he had the mortification of seeing the office of high chancellor conferred on Maitland; who, together with that dignity, enjoyed all the power and influence of a prime minister, defeating numerous attempts to remove him by the Earl of Bothwell and others.

Robertson, II. 349.

Sir John Maitland accompanied King James VI. on his matrimonial expedition to Denmark 1589; and, on returning from thence, was created a peer, by the title of Lord Maitland of Thirlestane, by letters patent, dated 18th May 1590, to him and the heirs-male of his body. The next year he resigned the office of secretary of state, which was conferred on his nephew, Sir Richard Cockburn of Clerkington, 22d April 1591. His Lordship died at his seat of Thirlestane, built by him, on the 3d of October 1595, when he had just completed

Lauderdale.

the 50th year of his age, and was buried at Haddington, where a sumptuous monument was erected to his memory, with a well-known epitaph, composed by King James VI., printed in Crawford's Peerage. He was, according to Archbishop Spottiswood, a man of rare parts, and of a deep wit, learned, full of courage, and most faithful to his King and Master. No man did ever carry himself in his place more wisely, nor sustain it more courageously against his enemies. Robert Johnston draws his character thus: Is meritus, æquitate in rebus judicandis, solertia ingenii, peritia usuque rerum ut ad posteritatis memoriam fama celebris esset. In prima juventute multis discriminibus obnoxius; provecta ætate gradatim honores et publica reipublicæ munera adeptus, non sine magna invidia procerum administravit, quam immodicis jocis provocavit. Supervacaneum est singula maledicta referre per quæ in proceres inimicosque suos contumeliosus fuit. At specimen excelsi animi semper edidit; inter adversas factiones magnam laudem prudentiæ industriæque tulit; reliquit clarissima monumenta doctrinæ suæ, Epigrammata Latino sermone conscripta. Senescente invidia, quam dies migravit, fama ejus vario sermone vulgi celebrata; quibusdam natura dicacior visus, et ne inter tempora curarum verbis facetis satis temperans; alias, ubi officio satisfecit, lenis, remissus, urbanus, procul a tristitia aut severitate, jocos temperatos seriis permiscens. Hailes's Catal. Notwithstanding this satirical humour, which created so many enemies to this great and learned man, he knew how to pay his court by his poetry; for he made a Latin translation of the epitaph on Sir Philip Sidney, by King James, and of his Majesty's own Sonnet. He also wrote a Satire against Sklandering Tounges, 1579, and an Admonition to the Regent Mar, printed by Pinkerton*. Park's Walpole, V. 55.

He died possessed of the lands and baronies of Blyth, Thankerton, Biggar, and Castlehill, in the lordship of Lauderdale, with the office of bailiary of the same; and of Musselburgh, East and West Barns, Newton, Oswalden, Lie Rig, and Fluris, Lochend, Stobo, Eddleston, or White Barony, Leithington, ten chalders of victual out of Markhill and Traprene, and other property. Lauderdale.

He married Jean, only daughter and heiress of James, fourth Lord Fleming; and by her, who married, secondly, in November 1597, John, fifth Earl of Cassillis, without issue; and dying, 23d June 1609, æta. 55, was buried with her first husband at Haddington, had a son, Monteath's Theater of Mortality, II. 169.

John, second Lord Maitland of Thirlestane;—and a daughter,

Anne, married to Robert, second Earl of Wintoun. They had a charter, 22d March 1603. She died 6th July 1609, aged 20, and was buried at Haddington. Ibid.

XIV. JOHN, second Lord MAITLAND of Thirlestane, the only son, succeeded his father 1595; was a nobleman of great honour and probity, and managed his affairs with that conduct and discretion, that he made a considerable addition to his fortune. He was served heir of Jean, Countess of Cassillis, his mother, 31st August 1609; and created Viscount of Lauderdale, by patent, dated at Whitehall, 2d April 1616, to him and his heirs male and successors, in the lordship of Thirlestane. He had the office of president of the council, and was appointed one of the ordinary lords of session, 5th June 1618. He was created Earl of Lauderdale, Viscount Maitland, Lord Thirlestane, and Boltoun, by patent, dated at Whitehall, 14th March 1624, to him and his heirs male, bearing the name and arms of Maitland; was removed from his place in the session, 14th February 1626; but had the appointment of one of the extraordinary lords of that Crawf. Peer. 253. Inq. Ret. in Pub. Arch. Mag. Sig. L. xviii. No. 134. Hailes's Catal. Mag. Sig. L. I. No. 309.

* Charters were granted to him of the barony of Blyth, 26th March 1581; of Thankertoun and Biggar, to himself and Jean Fleming, his wife, 30th October 1583; of Castlehill, in Berwickshire, to them, 27th January 1586; of the office of bailiary of Lauderdale, 20th March 1586; of the office of bailiary of Musselburghshire, 9th August 1586; of the lordship and barony of Musselburghshire, 18th July 1587; of the King's lordship of Dunbar, to him and Jean Fleming, his wife, 18th October 1587; of the baronies of Stobo, Ettlestoun, &c. parts of the Archbishoprick of Glasgow, 9th August 1587; of the lands of Blyth, &c. united into a regality, 28th July 1587; of the lands of Markle, 8th April 1588; of the lands of Leithington, 27th September 1589; of the lordships of Leithington, Musselburgh, Dunbar, and Thirlestane, to him and his wife, and John, Master of Thirlestane, their son, 7th March 1593-4. Mag. Sig. passim.

Lauderdale. Rescinded Acts.

court, 1st June following, which he held till 8th November 1628 *. He was president of the parliament, 1644; and dying in that office, in January 1645, was buried in the church of Haddington. Drummond of Hawthornden wrote an epitaph upon him, published in Crawford's Peerage. His Lordship made an exact inventory of all his charters and writs; and the charter-chest of the family being concealed under ground, in the time of the civil wars, the writs were so entirely defaced, that they were become unintelligible; but by reason of the character his Lordship had for integrity, the inventory was, by order of parliament, appointed to supply the place of the antient records of the family, the clerk-register signing every page thereof. His Lordship married Lady Isabel Seton, second daughter of Alexander, Earl of Dunfermline, High-Chancellor of Scotland. This marriage took place before 18th June 1610, when a charter was granted to John, Lord Thirlestane, and Lady Isabel Seton, his wife, of the lands of Gilbertoun, Ugistoun, &c. She was born 1st August 1594; and dying at Leithington, on the 2d of November 1638, in her 45th year, was buried at Haddington, where a monument was erected to her memory, by her afflicted husband; and she is celebrated by Arthur Johnston, in his poems. They had fifteen children, seven sons and eight daughters, of whom four sons and seven daughters died before her; one of them, Lady Jane Maitland, also highly praised by Arthur Johnston, born 1st October 1612, died 8th December 1631, in her 20th year, and was buried at Haddington; her virtues are inscribed on the same monument. Her funeral sermon was preached at Haddington, 19th December 1631, and was printed, accompanied with fifty-nine copies of verses, in English and Latin. The surviving children were,

Crawf. Peer. 253.

Mag. Sig. L. xlvi. No. 218.

Monteath's Theater of Mortality, II. 150.

* He had charters of the lands of Thankertoun, 22d August 1611; of the barony of Boltoun, to him and Isobel Setoun, his wife, 28th July 1613; of the lands of Bonytoun, 8th July 1613; of Rogerlaw, 14th March 1615; of Boltoun, Bagbie, Snadoun, &c. to him and Isobel Seytoun, his wife, 27th April 1616; of Gilbertoun, to them, 8th August 1616; of Bagbie, Snaudoun, and Ladypark, 17th July 1618; and of Ladypark, 22d March 1634. Reg. Mag. Sig. passim.

1. *John*, second Earl of Lauderdale.

Lauderdale. Edin. Reg.

2. Hon. *Robert* Maitland, born 11th March 1623, who married Margaret, only daughter of John Lundin of Lundin, in Fife, on whose death, in January 1648, that estate devolved upon her. Her husband supported the "engagement" for the rescue of King Charles I., 1648; for which he was obliged to make repentance in his own seat, in Largo church, 13th January 1650. He accompanied King Charles II. on his expedition to England; was taken at the battle of Worcester, 3d September 1651; and remained some years a prisoner in England. He was fined L.1000, by Cromwell's act of grace and pardon, 1654. He died at Lundin, 15th December 1658, in his 36th year, and was buried at Largo. His only surviving son and successor, John Lundin of Lundin, died unmarried, 25th November 1664, in his 21st year, being succeeded by his eldest sister, Sophia, heiress of Lundin, who married, 30th April 1670, John Drummond, second son of James, third Earl of Perth, who was created Earl of Melfort, in 1686. Her only sister, Anna, married, in July 1670, James Carnegy, Esq.

Lamont's Annals, MS.

3. *Charles*, third Earl of Lauderdale.

Daughter, Lady *Sophia*.

XV. JOHN, second Earl of LAUDERDALE, born at Leithington, *24th May* 1616, had a charter to *John*, Master of Lauderdale, *of the lands* and baronies which belonged to the abbacy of Haddington, united into the barony of Haddington, 30th March 1622; joined the covenanters, by whom he was much trusted in the management of affairs; and was one of the commissioners from the church of Scotland, to the assembly of divines at Westminster, 1643. Next year, he was one of the commissioners appointed by the estates of Scotland to treat with King Charles I. at Uxbridge. He succeeded his father, 1645; and was frequently employed as a parliamentary commissioner in the subsequent transactions relative to the King. His Lordship opposed the resolution of the commons in England, 1646, that the disposal of his Majesty's person belonged exclusively to the two houses of parliament there, asserting the national

Crawf. Peer. 254. Mag. Sig. L. I. No. 14.

Laing, I. 330.

Lauderdale. right of the Scots to a joint share therein. He was commissioned by the parliament of Scotland to treat with his Majesty, at Hampton Court, 1647; and, on his return, zealously promoted the engagement for raising forces for the rescue of the King. When the army was ready to march into England, in July 1648, his Lordship was sent over to Holland to invite the Prince of Wales to join them. The defeat of the Duke of Hamilton, at Preston, put an end to all hopes from that expedition. The Earl of Lauderdale left the Prince to return home, in order to employ his interest in the service of the King and royal family; but, before he arrived, he received intelligence that the engagement was declared unlawful, and that the promoters thereof were subjected to penalties. He thereupon, without suffering his ship to go into any port, returned to Holland, to offer his services to the Prince, who by this time was become King.

When Charles II. came to Scotland, in 1650, the Earl of Lauderdale accompanied his Majesty; but was, by the States, debarred from his presence and councils, and ordered into banishment, on account of his concern in the engagement. He made satisfaction for his accession thereto, in the church of Largo, 26th December 1650, and was in consequence permitted to remain in the kingdom, and to come to court. He attended his Majesty to England, was taken at the battle of Worcester, 3d September 1651; and committed prisoner to the Tower of London, where he suffered a confinement of nine years, till he was set free by Monk, in March 1660*. He immediately repaired to the Hague to wait upon the King, with whom he came over on the restoration †.

Lamont's Annals, MS.

Crawf. Peer. 254.

As a reward for his services and sufferings in the royal cause, his Lordship was constituted secretary of state, one of the extraordinary lords of session, president of the council, first commissioner of the treasury, one of the lords of the bedchamber, and governor of the castle of Edinburgh. He was appointed high-commissioner to the parliament, 1669; and held the same high office in four succeeding sessions; also in the convention of estates, 1678. The whole power and patronage of Scotland were placed in his hands, after the disgrace of Middleton, 1662. He was created Duke of Lauderdale, and Marquis of March, (as descended from the Dunbars, Earls of March,) by patent, to him and the heirs male of his body, 2d May 1672; installed a knight of the Garter at Windsor, 3d June following; and on the 25th of June 1674, created a peer of England, by the title of Earl of Guildford and Baron of Petersham, by patent, to him and the heirs male of his body. His Grace was likewise a member of the privy-council in England.

Lauderdale. Mag. Sig. L. lxiii. No. 96.

Lauderdale continued in the supreme direction of affairs in Scotland, till the Duke of York's arrival in that country, 1680, when his credit declined; and having, by his vote for the condemnation of the popish Earl of Stafford, incurred the resentment of his Royal Highness, his Grace was deprived of his offices, except that of extraordinary lord of session, which was for life; and the pensions granted to him and his Duchess were taken away in July 1682. His Grace sunk under the weight of vexation and age, at Tunbridge, 24th August 1682, in his 67th year, and was buried at Haddington. His character and personal appearance are drawn in strong and unfavourable colours, by Bishop Burnet, who, however, admits that he had suffered from his Grace's enmity; therefore the portrait may be deemed overcharged.

Laing, II. 119.

His Grace married, first, Anne, second daughter of Alexander, first Earl of Home, coheiress, with her sister Margaret, Countess of Moray, of her brother, James, second Earl of Home; and by her, who died at Paris, about 1671, had an only daughter,

Lady *Anne*, married, at Highgate, 11th December 1666, in presence of the King, Queen, and court, to John, second Marquis of Tweeddale, and had issue.

Lamont's Annals, MS.

* He was excepted out of Cromwell's act of grace and pardon, 1654, by which lands, to the value of L.300 a-year, were settled out of his estate, on his wife, and the heirs of her body.

† He had charters of the lordship and regality of Musselburgh, the barony of Cranschawis, the barony and regality of Thirlestane, the lands of Rodgerlaw, Auldington, &c. 25th May 1661; of the Citidaill of Leith, united into a regality, 10th May 1662; and of the forest of Lauder, 13th October 1664. Mag. Sig. L. lx. No. 104, 105, 106, 107, 242. lxi. No. 16.

Lauderdale. Lysons.

His Grace married, secondly, at Petersham, 17th February 1671-2, the ceremony being performed by the Bishop of Worcester, Elisabeth, Countess of Dysart, in her own right, relict of Sir Lionel Talmash of Helmingham, in Suffolk, baronet, without issue by her, who died in June 1698. Having no male issue, his Grace's English honours became extinct; as also the titles of Duke of Lauderdale and Marquis of March. His other Scotish honours devolved on his brother,

Hailes's Catal.

XV. CHARLES, third Earl of LAUDERDALE, youngest son of the first Earl, who was appointed one of the ordinary lords of session, 2d November 1669; treasurer-depute, 1670, and general of the mint; and was created a baronet, 12th May 1672. On the decline of his brother's influence, he was deprived of his office, 1682; succeeded as Earl of Lauderdale the same year; and died 9th June 1691. His Lordship married, at Hatton, 18th November 1652, Elisabeth, only daughter and heiress of Richard Lauder of Hatton, in the county of Edinburgh, with whom he got Hatton, Overgogar, Norton, and Platts, and by her had issue,

Lamont's Annals.

1. *Richard*, fourth Earl of Lauderdale.

Edin. Reg.

2. *John*, fifth Earl of Lauderdale.

3. Hon. *Charles* Maitland, born 15th June 1662; married to Lilias, eldest daughter of Sir John Colquhoun of Luss, relict of Sir John Stirling of Keir.

4. Hon. *Alexander* Maitland, married to Miss Janet Campbell, and had a numerous issue.

5. Hon. *William* Maitland, who married Christian, Viscountess of Oxfurd. She died in 1707. They had a son, Robert, Viscount of Oxfurd, who died, without issue, 1755.

6. Hon. *Thomas* Maitland, born 5th April 1667; died before he had attained his 18th year.

1. Lady *Isabel*, married, 28th April 1670, to John, eighth Lord Elphinstone, and had issue.

2. Lady *Mary*, married to Charles, fourth Earl of Southesk, and was mother of James, the fifth Earl.

XVI. RICHARD, fourth Earl of LAUDERDALE, the eldest son, born 20th June 1653, was stiled of Overgogar, and was knighted. He was sworn a privy-councillor, conform to the King's letter, 9th October 1678; appointed general of the mint jointly with his father; and constituted Lord Justice-General, 1681, which he held till 1684. At the revolution, he repaired to the court of *St Germains*; succeeded his father, 1691; and was outlawed by the Court of Justiciary, 23d July 1694. Although he was a Roman Catholic, he was not well treated by King James VII., for whom he had sacrificed all his prospects. His lady being a protestant, and he an enemy to the violent measures of the court, was judged to be a sufficient reason for excluding him from any share in the government. He advised King James to put his affairs into protestant hands, and recommended the Earl of Clarendon, and the nonjuring bishops in England, and the *Lords Home*, Southesk, and Sinclair, in Scotland, as the fittest persons to serve him; but his advice was so ill taken, that he had his lady sent to England, not to return any more; was himself forbid the court, and reduced to a pension of 100 pistoles a-year. He retired to Paris, and seeing no probability of his Master's changing his measures, died of grief, 1695. His Lordship's translation of Virgil is well known. He married Lady Anne Campbell, second daughter of Archibald, ninth Earl of *Argyll*; but by her, who married, secondly, Charles, seventh Earl of Moray, and died 18th September 1734, æta. 76, had no issue. The title therefore devolved on his brother,

Lauderdale. Lamont's Annals. Fountainhall, I. 17.

Arnot's Crim. Trials, 82.

Macky, xxxix.

XVI. JOHN, fifth Earl of LAUDERDALE, who became a member of the Faculty of Advocates, 30th July 1680; was knighted; and elected Member of Parliament for the county of Edinburgh, 12th March 1685. Concurring heartily in the revolution, he was appointed one of the lords of session, 1st November 1689, by the stile of Lord Ravelrig, and held that office till his death. He was, the same year, colonel of the militia of the shire of Edinburgh. Succeeding his brother in 1695, he took the oaths and his seat in parliament, 8th September 1696. He is thus described by a contemporary, He is

Fountainhall, I. 352.

Minutes of Parliament.

 a gentleman that means well to his country; is a well-bred man, handsome in his person, fair complexioned, and towards fifty years old. He supported the treaty of union in parliament; and died 30th August 1710. By his wife, Lady Margaret Cunningham, only child of Alexander, tenth Earl of Glencairn, and heir of line of that antient family, who died at Hawthornden 12th May 1742, aged about 80, he had three sons and a daughter,

1. *James,* Lord Maitland, who died in 1709, before his father; he married, contract dated 31st August 1702, Lady Jean Sutherland, eldest daughter of John fifteenth Earl of Sutherland, and by her, who died at Edinburgh 11th February 1747, aged 67, had one daughter, Jean, born 7th December, 1703; married, contract dated 3d and 8th September 1726, to Sir James Fergusson of Kilkerran, in Ayrshire, baronet, a Lord of Session and Justiciary; and died 4th March 1766. Her eldest son, Sir Adam Fergusson, baronet, in her right, claimed, but ineffectually, the antient earldom of Glencairn, as heir general of Alexander, the tenth earl, as already mentioned under that title.

2. *Charles,* sixth Earl of Lauderdale.

Edin. Reg. 3. Hon. *John* Maitland, born 19th February 1690, a colonel in the guards, who died at Hampstead 15th October 1756, aged 67.

Daughter, Lady *Elisabeth,* married to John, second Earl of Hyndford, had a numerous issue, and died at Bath in November 1753, aged 71.

XVII. CHARLES, sixth Earl of LAUDERDALE, the eldest surviving son, a nobleman of the sweetest disposition, and finest accomplishments, succeeded his father in 1710; served as a volunteer under the Duke of Argyll at the battle of Sheriffmuir, 13th November 1715, behaving with great gallantry; was general of the mint; lord-lieutenant and high sheriff of the county of Edinburgh; one of the sixteen representatives of the Scotish peerage, chosen at the general election 1741; and died at Hatton 15th July 1744, in the 56th year of his age.

He married Lady Elisabeth Ogilvy, eldest daughter of James, Earl of Findlater and Seafield, Lord High Chancellor of Scotland, and by her, who died at Bath 24th September 1778, had at least nine sons and five daughters,

1. *James,* seventh Earl of Lauderdale.

2. Hon. *Charles* Maitland Barclay of Tillicoultry, who had an ensign's commission in Colonel Middleton's regiment, October 1735, and died at Ormistoun Lodge 28th November 1795*. He married, first, Isabel Barclay, heiress of Towie, and assumed the name of Barclay in consequence; she died 23d October 1761; secondly, in April 1765, a daughter of Patrick Haldane, of Gleneagles; thirdly, 11th February 1768, Janet, daughter of Sir Thomas Moncrieffe of Moncrieffe, Bart. who survived him, and died at Ormistoun Lodge, 6th November 1799. He had issue only by the first, Charles Maitland Barclay, a lieutenant of the second dragoon-guards, promoted in 1780 to a troop of the 22d regiment of light dragoons, married to Miss Hull of Exmouth. 1. Jane, married 26th November 1766 to Archibald Ogilvy of Inchmartine, and had issue. 2. Elisabeth, died unmarried at Tillicoultry 5th August 1769. 3. Mary Turner, married, 9th November 1783, to James Christie of Durie in Fife, and has issue. 4. Margaret, married, 7th April 1781, to Major Archibald Erskine of Venlaw, in the county of Peebles, who died there, 1st August 1804, brother of Cardross, and has issue.

3. Hon. and Rev. *George* Maitland, a dignified clergyman in Ireland, who died, unmarried, September 1764.

4. Hon. *Richard* Maitland, born 10th February 1724, who was appointed lieutenant in the 43d regiment of foot 1st June 1770; captain of a company in the same regiment, 4th September 1754; was deputy adjutant-general to the British troops in Canada, under the gallant Wolfe, with the rank of lieutenant-colonel, 1759. He was sent home

* It is but doing justice to the memory of a worthy man, whose sweetness of temper, benevolence of heart, and gentlemanly behaviour, will be remembered with pleasure, at least while the present generation lasts, to mention that Mr Barclay Maitland improved and beautified the parish (Tillicoultry,) in a high degree, by his numerous enclosures and plantations: His taste and attention everywhere appears.—*Statistical* Account, XV. 194.

Lauderdale.

in May, 1760, with General Murray's dispatches to Mr Secretary Pitt, giving an account of the raising of the siege of Quebec, and was most graciously received by the King, who ordered L.500 to be paid to him to buy a sword. He had the rank of colonel in the army 25th May 1772; and died the same year at New York, ætat. 49. He married an American lady, and had four sons: 1. Richard, who died without issue. 2. John, appointed captain of the royal navy, 1797; married, at Balgarvie, 22d April 1799, to Elisabeth, daughter of Archibald Ogilvy of Inchmartin. 3. Patrick, banker at Calcutta, married, at Calcutta, 1807, to Ann, daughter of Colthurst Bateman of Ireland. 4. James, lieutenant-colonel of the 75th foot; served under Lord Lake; commanded the storming party at Bhurtpore, 10th January 1805, and was killed in that unsuccessful attempt.

5. Hon. *Alexander* Maitland, who was an officer of the first regiment of foot-guards, of which he had a lieutenancy 20th January 1747, and a company 6th January 1756; was promoted to the command of the 49th regiment of foot 25th May 1768; had the rank of major-general in the army 25th May 1775, lieutenant-general 29th August 1777, and general 19th October 1793; was gentleman-usher quarterly waiter, to the Princess Dowager of Wales. He married, at Hertford, 27th June 1754, Penelope, daughter of Colonel Martin Madan, and by her, who died at Totteridge in Hertfordshire 22d December 1805, ætat. 75, had issue: 1. Alexander Charles Maitland Gibson of Cliftonhall in the county of Edinburgh, and Kersie in Stirlingshire, who was a captain in his father's regiment, the 49th foot, when he married, 30th April 1786, Helen, eldest daughter and heiress of Alexander Gibson Wright of Cliftonhall and Kersie; they have had ten children: Alexander, admitted a member of the Faculty of Advocates 1808; James; Charles, died at Edinburgh 13th April 1808; Augustus; John; Margaret; Penelope Madan, died at Cliftonhall 27th September 1804; Anne; Charlotte; Helen. 2. Augustus, who was an officer in the first regiment of foot-guards; of which he had a lieutenancy in 1779; was in the brigade sent to America, and was wounded at the battle of Guildford, 15th March 1781; he had a company, with the rank of lieutenant-colonel, 1793; accompanied the detachment sent to Holland 1799; commanded the third battalion of the guards in the action near Egmont op Zee 6th October 1799, where he was mortally wounded, and died at the Helder 21st October, unmarried. 3. Frederick, a major-general in the army, governor of Grenada, and lieutenant-colonel of the 29th regiment of foot. He had a company in the 60th foot 2d December 1789; had the rank of major in the army, appointed adjutant-general of the forces in the Leeward and Caribbee islands 29th November 1794; a lieutenant-colonel in the army February 1795; major of the 9th foot 10th March 1795; lieutenant-colonel of the 27th foot 20th November 1796; exchanged into the 29th foot 4th September 1804. He had the rank of brigadier-general in the West Indies; served under Sir Thomas Trigge at the capture of St Bartholomew, St Martin's, and St Thomas, March 1801; was governor of Trinidad; appointed governor of Grenada 29th March 1805, and a major-general in the army 2d November 1805. The thanks of the House of Commons were voted to him 14th April 1809, for his gallant and meritorious services in effecting the conquest of Martinique; and he had the command of the 1st Ceylon regiment conferred on him 24th February 1810. He married Miss Prettyjohn of Barbadoes, and has several children; Alexander, his fourth son, died at Cliftonhall 28th September 1804. 1. Penelope, married, November 1802, to the Rev. Thomas Cope Marsham, vicar of Kew and Petersham. 2. Charlotte.

6. Hon. *Frederick* Lewis Maitland of Rankeillour, born 19th June 1730, who went into the royal navy, of which he had the rank of lieutenant 1749, and captain 9th March 1759. He commanded the Lively, of 20 guns and 160 men, on the Jamaica station, October 1760, when he took the Valeur of equal force. He had the command of a line-of-battle ship in Keppel's engagement with D'Orvilliers, 1778; and died at Rankeillour 16th December 1786, æta. 57. He married, 27th August 1767, Miss Margaret Dick, heiress of Rankeillour and Lindores in Fife, in right of

Lauderdale.

Lauderdale. her mother, sister of James Macgill of Rankeillour, who claimed the title of Viscount of Oxfurd; and had issue: 1. Charles Maitland Macgill of Rankeillour, who had a troop of the 17th light dragoons, and was aide-de-camp to his cousin, Major-General Thomas Dundas, when he died in the West Indies, 1794. He married Mary, daughter of David Johnston of Lathrisk in Fife, and Bavelaw in the county of Edinburgh, and has issue: Frederick; David; James; Charles; Mary; Margaret; Elisabeth. 2. James Maitland, who became a member of the society of Writers to the Siguet, 1798; and, after a protracted litigation, succeeded to the estate of Ramorny in Fife, long the property of the Heriots, a younger branch of the Craigs of Riccartoun, and assumed the name and arms of Heriot of Ramorny. 3. Frederick Lewis Maitland, who was appointed captain of the royal navy, 1801; signalized himself highly when commander of the Loire frigate, 1803 to 1806, particularly in Muros Bay, 4th June 1805; a circumstantial detail of which appeared in the London Gazette, justly entitling him to the distinction of one of the first officers in the service. He married, at Cork, April 1804, Catherine, second daughter of D. Connor of Ballybricken. 4. Robert, midshipman in the royal navy; served in Egypt, 1801; and died at Malta 2d July 1801. 1. Mary Turner, married 5th April 1793 to Henry Scrimgeour, Esq. fourth son of David Scrimgeour of Birkhill in Fife, and has issue. 2. Elisabeth. 3. Isabella, married, 8th July 1794, to William Roy of Nenthorn in the county of Roxburgh.

7. Hon. *Patrick* Maitland of Freugh, born 10th April 1731, who was commander of an East Indiaman; purchased the lands of Freugh and Balgreggan in the county of Wigton; and died at Edinburgh 14th May 1797, in his 67th year. He married, 29th September 1774, Jane Maitland, Countess of Rothes, dowager of John the tenth Earl; and by her had a daughter, Mary Turner, born 1775; and a son, John Maitland of Balgreggan, married, 5th July 1803, to the third daughter of Sir William Maxwell of Monreith, in the county of Wigton, Bart., niece of Jane, Duchess of Gordon; and died 20th May 1811, leaving two sons, Patrick and William, and a daughter, Jane. Lauderdale.

8. Hon. *John* Maitland, who was an officer of the marine forces, of which he had the rank of captain, 22d March 1757; was in Admiral Boscawen's engagement with De la Clue, 1759, when he lost a hand, and got a pension of L.100 per annum. He was appointed Clerk of the Pipe in the Exchequer in Scotland 1769; chosen Member of Parliament for the boroughs of Haddington, &c. 1774; had a majority of the marine forces 1st October 1775; and the lieutenant-colonelcy of the 71st regiment of foot 9th March 1779. He served in America during the war, with great distinction; he was attacked by General Lincoln with 5000 troops, at Stoneferry 20th June 1779; when, with only 700 men, he gallantly repulsed the Americans. In September following, Georgia was invaded by the French under D'Estaign, who invested the town of Savannah, where General Prevost commanded. Colonel Maitland brought 800 men across a swamp, deemed almost impassable; forced his way through the enemy's troops to the town and joined the general, who, without them, could hardly have made any resistance; they not only repulsed the French, but attacked them, and obliged them to raise the siege and to reimbark their troops 9th and 10th October. Colonel Maitland's health had been impaired by the fatigues he underwent on former occasions, he, notwithstanding, exerted himself to the utmost, which threw him into a fever, of which he died at Savannah 12th October 1779, two days after the departure of the French; so that, like the gallant Wolfe, he had the satisfaction of seeing the most brilliant success accompany his exertions. The preservation of the province of Georgia, and of the British troops there, was entirely owing to his assistance.

9. Hon. *William* Maitland, born 24th November 1733, died young.

1. Lady *Anne*, born 28th May 1712, died young.

2. Lady *Elisabeth*, married, first, 2d April 1739, to James Ogilvy of Rothiemay and Inchmartin, and had two sons, Archibald Ogilvy of Inchmartin, married, 26th November 1766, to his cousin-german,

Lauderdale. Jane, eldest daughter of the Hon. Charles Maitland Barclay of Tillicoultry; and Charles; secondly, 17th August 1765, to General Robert Anstruther, who died 3d December 1767. She died at Balgarvie House, in Fife, 24th September 1804.

3. Lady *Margaret*, died, unmarried, at Edinburgh, 12th September 1763.

4. Lady *Janet*, married, at Edinburgh, 11th November 1744, to Thomas Dundas of Fingask, and had issue; and died at Edinburgh, 29th December 1805, æta. 85*.

5. Lady *Eleonora*, born 7th December 1727; died young.

XVIII. JAMES, seventh Earl of LAUDERDALE, the eldest son, born 23d January 1718; had a company in the 18th regiment of foot, 1st January 1740; succeeded his father, 1744; was appointed lieutenant-colonel of the 16th regiment of foot, 20th September 1745; and after remaining 25 years in the army, resigned his commission in consequence of partiality in the promotion of a junior officer. He was chosen one of the sixteen representatives of the Scotish peerage, at the general election, 1747; re-

* Thomas Dundas of Fingask and Carronhall, M. P. elder brother of Sir Laurence Dundas, father of Lord Dundas, died at Carronhall, 17th April 1786. His children, by Lady Jane, were: 1. The gallant Major-General Thomas Dundas of Fingask, M. P. married to Lady Eleonora Home, sister of the Earl of Home. 2. Charles Dundas of Barton Court, in Berkshire, Member of Parliament for that county, born 5th August 1751, married to Miss Whitley, and has an only child, Janet Whitley Dundas, married, 28th April 1808, to her cousin-german, Captain James Deans, royal navy. 1. Elisabeth, born 30th November 1745; died young. 2. Bethia, born 1st September 1747; married to George Haldane of Glencagles, and left an only daughter, Janet, married to Charles Dallas of Llemyston, in the county of Montgomery. 3. Margaret Bruce, married to Alexander Gibson of Durie, in Fife, and was mother of Sir John and Sir Thomas Gibson Carmichael of Skirling, baronet. 4. Mary, married to James Bruce of Kinnaird, the famous Abyssinian traveller, and had David, who died young; James Bruce of Kinnaird; and Janet Maitland Bruce, married to John Jardine, Esq. Advocate. 5. Janet, married to Dr Deans, and had one daughter, Janet, who died unmarried; and one son, Captain James Deans, of the royal navy, married to his cousin, Janet Whitley Dundas; and obtained the King's permission to take the name and arms of Whitley and Dundas, in addition to those of Deans.

chosen 1754; again elected, 24th July 1782, on the vacancy occasioned by the death of the Earl of Loudoun. Under the act abolishing heritable jurisdictions, 1747, he got, for the regality of Thirlestane, and bailiary of Lauderdale, L.1000, in full of his claim of L.8000. He had the appointment of a lord of police, in February 1766; continued at that board till its abolition, 1782; and died at Hatton, on the 17th of August 1789, in the 72d year of his age. Lauderdale.

He married, at Merton, in Surry, 24th April 1749, Mary Turner, only child and heiress of Sir Thomas Lombe, knight, alderman of London*. She was then in her fifteenth year; and died, at Hatton, 20th July 1789, aged 55. Their issue were,

1. *Valdave Charles Lauder*, Viscount Maitland, born 14th December 1752; died at Hatton, 5th September 1754.

2. *James*, eighth Earl of *Lauderdale*.

* In 1732, was passed an act of parliament (5 Geo. II. c. 8.) "for providing a recompence to Sir "Thomas Lombe, for discovering and introducing "the arts of making and working the three capital "Italian engines for making Organzine Silk, and for "preserving the invention for the benefit of the king-"dom." "Whereas, the riches, strength, and pros-"perity of the kingdom depend on the trade thereof; "and whereas the introducing and improving such "new arts and inventions as will employ great "numbers of our poor, keep our money at home, "and increase the profitable trade carried on by "the exportation of our own manufactures, tend "greatly to the securing and enlarging the general "trade and commerce of Great Britain, and ought, "by all proper ways and means, to be encouraged; "and whereas Thomas Lombe of London, merchant, "now Sir Thomas Lombe, knight, did, with the ut-"most difficulty and hazard, and at a very great ex-"pence, discover the arts of making and working the "three capital engines made use of by the Italians to "make their organzine silk, and did introduce those "arts and inventions into this kingdom; and where-"as King George I. was pleased, by letters-patent "under the great seal, dated 9th September 1718, to "grant to the said Thomas Lombe, the sole privilege "and authority to work and enjoy his new invention of "three sorts of engines, by him found out, never be-"fore made or used in Great Britain; one to wind "the finest raw silk, another to spin, and the third "to twist the finest Italian raw silk into organzine "in England, for fourteen years. And whereas the "said Sir Thomas Lombe, since the granting the said "letters patent, hath, at a great expence, erected "buildings, and set up engines, or machines, at Der-"by, for that purpose, &c.; but by reason of the "long time required to finish and complete the said

Lauderdale.

3. Hon. *Thomas* Maitland, who had a company in the 78th regiment of foot, 14th January 1778; accompanied it to the East Indies; served on board the Monarca, in the severe engagement betwixt Sir Edward Hughes and the Bailli de Suffrein, 3d September 1782, when he was wounded. He was promoted to the majority of the 62d regiment of foot, 11th August 1790; was, the same year, elected Member of Parliament for the Haddington district of boroughs; distinguished himself by his speeches in the House of Commons, taking a decided part against the Pitt administration. He had the lieutenant-colonelcy of the 62d foot; sailed to the West Indies, 1796; was appointed quarter-master-general of the forces in St Domingo, January 1797; was much employed in the difficult and dangerous warfare of that unhealthy station, under General Simcoe, with the rank of brigadier-general, in the West Indies. When Simcoe quitted the island, Brigadier-General Maitland was left commander of the British troops in St Domingo; and in that capacity surrendered, agreeably to orders, the English possessions there to Toussaint L'Ouverture, and embarked the forces, April and May 1798, concluding a commercial treaty with Toussaint. Returning to Britain, he was presented to the King, in November 1798. He commanded the troops sent to Quiberon, sailed with Sir Edward Pellew, landed at Quiberon, 4th June 1800, and destroyed the forts there; it was intended to attack Belleisle; but, on the 19th, intelligence was received that the troops on that island amounted to 7000 men; a force so much superior to the British, that it was deemed prudent to abandon the object. He was a second time chosen for the boroughs of Haddington, &c. at the general election, 1802, having been previously sworn in a member of his Majesty's privy-council, on receiving the appointment of one of the commissioners of the Board of Controul for the management of India. He resigned his seat, on his appointment of governor and commander-in-chief in and over the settlements in the island of Ceylon, in the Indian seas, and the territories and dependencies thereof, 3d January 1805. Proceeding to Ceylon, same year, his firmness and moderation established peace in that island; his first act was to cancel the military board and most of the appointments made by his predecessors; the salaries of individuals were next reduced; more regular modes of collecting the revenue were adopted; so that he saved not less than half a million sterling in the annual expence of the island, and brought the finances into so flourishing a state, that, instead of being a dead weight on the mother-country, the resources of Ceylon were rendered sufficient for its supply. He had the rank of major-general in the army, 1st January 1805; got the command of the third garrison battalion, 26th February 1805; had the local rank of lieutenant-general, in Ceylon, 9th August 1806; and the command of the 4th West India regiment, 28th July 1807.

Lauderdale.

4. Hon. *John* Maitland, who died at Hatton, 8th October 1768.

5. Hon. *William Mordaunt* Maitland, who entered into the tenth regiment of dragoons, in which he had a cornetcy in 1779; a lieutenancy in 1782; he was promoted to a company of the 95th foot, in 1783; reduced to half-pay, same year; exchanged into the 72d foot, 1790; served under Lord Cornwallis, in India; and was wounded in the battle near Seringapatam, 6th February 1792. He was afterwards lieutenant-colonel of the Devonshire and Cornwall fencible infantry; reduced 1800; and ranks as major-general in the army from 7th May 1808. He married, first, a widow lady in Ireland, and had one son; secondly, 5th June 1810, the relict of Dalhousie Watherston of Manderstone, in Berwickshire.

6. Hon. *Charles* Maitland, died at Hatton, 24th March 1767.

"buildings and engines, and to instruct so great a "a number of people as were necessary to work them, "&c. until about a year ago, the said Sir Thomas "Lombe has been deprived of the benefits intended by "the said letters patent; therefore, for providing "a proper recompence to the said Sir Thomas Lombe, "and for preserving the said invention for the benefit "of the trade of the nation, It is enacted, That "L.14,000 shall be paid to Sir Thomas Lombe, as a "reward and recompence to him for the eminent ser-"vice he has done this nation, in discovering, introducing, and bringing to full perfection, at his own "great expence, as aforesaid, a work so useful and "beneficial to the kingdom." Sir Thomas Lombe died 3d February 1738, leaving a large fortune to his infant daughter, afterwards Countess of Lauderdale.

Lauderdale.

1. Lady *Hannah*, died at Hatton, 16th September 1758.

2. Lady *Elisabeth*, married at Hatton, 9th April 1770, to David Gavin of Langton, in the county of Berwick; an estate he purchased at a judicial sale, in 1757, for L.50,000. He died, 28th August 1773, leaving, by Lady Elisabeth, four daughters: 1. Mary Turner, heiress of Langton, married, 2d September 1793, to John, fifth Earl of Breadalbane. 2. Christina Maria Hearsay, married, 16th August 1791, to Robert Baird of Newbyth, in the county of Haddington. 3. Elisabeth, born 22d January 1773; unmarried. 4. David, a posthumous daughter, died at Walthamstow, 9th May 1797, æta. 19.

3. Lady *Mary Julian*, married, at Hatton, 9th March 1770, to Thomas Hog of Newliston, in the county of Linlithgow; and died at Newliston, 2d February 1795, having had a numerous family, of whom the only survivors are, Roger, who became a member of the Faculty of Advocates, 1799; and Mary Turner, married to John Buchan Hepburn, advocate, only son of George Buchan Hepburn of Smeaton and Letham, in the county of Haddington, Baron of Exchequer.

4. Lady *Hannah Charlotte*, married, 18th April 1785, to George, seventh Marquis of Tweeddale, and had issue; and died at Verdun, in France, 8th May 1804.

5. Lady *Jane*, married, first, at Walthamstow, 31st December 1787, to Samuel Long of Bloomsbury Square, London, and had issue; secondly, at Dunbar, 5th November 1808, to William Houston, Esq. late of Calderhall, a major-general in the army.

6. Lady *Anne*, married, first July 1793, to Francis Dashwood, Esq. son of Sir Francis Dashwood, Lord Le Despencer.

XIX. JAMES, eighth Earl of LAUDERDALE, the eldest surviving son, born at Hatton, 26th January 1759, was early placed under the superintendence of the learned Andrew Dalzel, LL.D. afterwards professor of Greek in the University of Edinburgh; studied at the College of Edinburgh and Glasgow, where he attended the juridical lectures of Professor Millar, and completed his education at Paris. Returning home, his Lordship was admitted a member of the Faculty of Advocates, 1780; was chosen Member of Parliament for Newport, in Cornwall, at the general election, same year; and for Malmesbury, 1784, rendering himself conspicuous in the House of Commons by his opposition to Lord North's administration, and attaching himself to Mr Fox, the friendship of whom his Lordship considered as the honour of his private life, and a steady adherence to his political principles, as the sole merit of his public character. He was one of the managers of Hastings's impeachment. Succeeding his father, 1789, his seat in the House of Commons became vacated; but, at the general election, 1790, he was chosen one of the sixteen representatives of the Scotish peerage, and followed the same line of conduct in the House of Lords, taking a frequent share in the debates.

Lauderdale.

The state of his Lordship's health rendering a few months residence in a mild climate expedient, he left England in August 1792, accompanied by Dr Moore, who published a "Journal during a resi- "dence in France from the beginning of "August to the middle of December 1792." From this journal, it appears that his Lordship arrived in Paris 7th August, at a most critical period, the attack on the Thuilleries, and the imprisonment of the royal family, taking place three days afterwards. The entrance of the combined armies into France, the departure of Earl Gower, the British ambassador, from Paris, and the massacres of 2d September, rendering it unsafe to remain, his Lordship quitted Paris 4th September, and proceeded to Calais. The situation of affairs becoming more quiet, he returned to Paris in October; but not deeming it prudent to proceed, he left that capital, 5th December, and landed in Britain on the 14th of that month.

His Lordship, in 1794, published his "Letters to the Peers of Scotland;" and, 2d June 1798, moved an address to the King for peace, which was negatived by the House of Lords. The same year he warmly exerted himself in opposition to the Habeas Corpus Suspension Act, the Sedition Bills, and other measures of admi-

nistration. His Lordship published, in 1796, the "Substance of a Speech in the House "of Peers on the National Finances;" in 1797, "Thoughts on Finance, suggested by "the measures of the present session;" in 1798, "Letter on the present Measures of "Finance, in which the bill now pending in "parliament (for tripling the assessed taxes) "is particularly considered;" in 1804, his elaborate work, "An Enquiry into the "Nature and Origin of Public Wealth, "and into the means and causes of its in-"crease;" and, the same year, "Observa-"tions on the Review of his Enquiry into "the Nature and Origin of Public Wealth, "published in the First Number of the "Edinburgh Review;" and, in 1805, 1st, "Thoughts on the Alarming State of the "Circulation and the means of redressing "pecuniary grievances in Ireland;" 2d, "Hints to the Manufacturers of Great Bri-"tain on the Consequences of the Irish "Union, and the System since pursued, of "borrowing in England for the Service of "Ireland."

On the dissolution of the Pitt administration, 1806, the Earl of Lauderdale was created a peer of the united kingdom of Great Britain and Ireland, 15th February 1806, by the title of Baron Lauderdale of Thirlestane Castle, in the county of Berwick; was sworn a privy-councillor, and had the great seal of Scotland delivered to him, 21st July 1806. His Lordship set off for Paris on the 2d of August following, invested with full powers to conclude peace, the negotiations for which had been for several weeks carried on by the Earl of Yarmouth; arrived there on the 5th, and joined that nobleman in the arduous task of treating with Bonaparte and Talleyrand. Generals Clarke and Champagny were directed to carry on the business with the British negotiators; the Earl of Yarmouth was recalled, 14th August, when the whole devolved on the Earl of Lauderdale. The war between France and Prussia breaking out in September, Bonaparte set off that month for Germany; and the Earl of Lauderdale wrote his last note to Talleyrand, 6th October, concluding thus: "If, there "fore, the undersigned has received orders "to demand his passports to depart from "France, it is certainly not because his "sovereign wishes to renounce peace, but "because his Majesty finds himself obli-"ged to do so, the French government not "having consented to all the conditions "which were comprised in the proposals "originally made by them to his Britannic "Majesty; and having, moreover, reject-"ed, as the basis of the treaty with Rus-"sia, the just and reasonable conditions "which the undersigned was authorised to "propose."

His Lordship quitted Paris 9th October, and arrived in London on the 13th of that month. Of the progress and termination of the negotiations, a clear statement appeared in the London Gazette of 21st October 1806, to which reference is made. On the change of administration, the Duke of Gordon was reappointed keeper of the great seal of Scotland, 11th April 1807. The Earl of Lauderdale now having an hereditary seat in the House of Lords, exerted himself actively in parliament, and published, in 1809, "An Inquiry into the "Practical Merits of the Present System "for the government of India under the "superintendence of the Board of Con-"troul."

His Lordship married, at Walthamstow, 15th August 1782, Eleonora, only child and heiress of Anthony Todd, Esq. secretary of the general post-office, London, who was buried at Walthamstow, 17th June 1798, æta. 82; and has issue by her,

1. *James*, Viscount Maitland.

2. Hon. *Anthony* Maitland, born 10th June 1785, who entered early into the royal navy; served as a midshipman at the attack on Copenhagen, under the immortal Nelson, in April 1801, where he was wounded. He also served under the same renowned commander, in the unsuccessful attempt against the French flotilla at Boulogne, 16th August same year, and was, a second time, severely wounded. He was appointed lieutenant in the royal navy, 1805; and promoted to the rank of captain, 1806.

3. Hon. *John* Maitland, born 5th March 1789; captain of a company in the 47th regiment of foot.

4. Hon. *Charles* Maitland, born 6th November 1793.

1. Lady *Anne*, married, at Edinburgh,

Lauderdale.

8th May 1807, to Robert Fraser of Torbreck, in Inverness-shire.

2. Lady *Mary*, born 4th January 1788.

3. Lady *Eleanor*, born 3d October 1790.

4. Lady *Julian Jane*, born 10th October 1791.

5. Lady *Charlotte*, born 10th October 1792.

XX. James, Viscount Maitland, the eldest son, born 12th February 1784; was educated at the University of Edinburgh, and elected Member of Parliament for Camelford, at the general election, 1806.

Titles.—James Maitland, Earl of Lauderdale, Viscount of Lauderdale and Maitland, Baron of Thirlestane, Boltoun, and Lauderdale of Thirlestane, and a Baronet.

Creations.—Lord Maitland of Thirlestane, in the county of Berwick, 18th May 1590, to the first Lord, and the heirs male of his body. Viscount of Lauderdale, a district of Berwickshire, by patent, dated at Whitehall, 2d April 1616, to Lord Thirlestane, and his heirs male and successors in the said lordship of Thirlestane. Earl of Lauderdale, Viscount Maitland, Lord Thirlestane and Boltoun, by patent, dated at Whitehall, 14th March 1624, to the first Earl and his heirs male, bearing the name and arms of Maitland. Baronet of Nova Scotia, 12th May 1672: Scotish honours. Baron Lauderdale of Thirlestane, in the county of Berwick, to the first Baron and the heirs male of his body: British honour. Lauderdale.

Arms.—Or, a lion rampant, gules, couped at all joints of the first, within a double tressure, flowered, and counterflowered, of the second.

Crest.—That of Scotland, allowed, with a trivial difference, by Charles II. to John, Duke of Lauderdale, viz. a lion sejant full-faced, gules, crowned with an open crown, Or, holding in his dexter paw a sword, proper, hilted and pomelled, Or, and in the sinister a fleur-de-lis, azure, in place of the sceptre.

Supporters.—Two eagles, proper.

Motto.—*Consilio et animis.*

Seats.—Dunbar, in the county of Haddington, and Thirlestane, in Berwickshire.

LENNOX, EARL OF LENNOX.

Lennox.

When William the Conqueror invaded England, and obtained the decisive victory at Hastings, in October 1066, all the southern provinces of that kingdom submitted quietly to the victor. However, several powerful barons in the northern part of England, attached to their old race of kings, and impatient of servitude, stood up valiantly in defence of their independency. Having carried on a sanguinary but unsuccessful war against William, they were in the end compelled to leave their country and possessions, and retire into Scotland, where they were kindly received by King Malcolm III. One of the most eminent of these was the son of

I. Aykerith, or Egfrith, a Saxon lord, who possessed a great estate in Northumberland, and the lordships of Dent and Sadbergh, in Yorkshire, being contemporary with Canute and Edward the Confessor. He made a great addition to his paternal inheritance, by his marriage with Eckfridia, with whom he got the lands and baronies of Askrig, Holteby Marrig, Burgh, Ilkton, Newton, Tauheld, Wath, Melmorby, Normanby, and several others, in Yorkshire. He died about 1064, leaving a son, Lennox. Nisbet's Heraldry, App. ii. 6. Odericus Vitalis. D. Thoresby's Ducatus Leodensis, 71. Domesday Book, Registrum Honoris de Richmond.

II. Arkyll, or Arkill, designed, in records, Arkill Chevalier, the son of Egfrith. He possessed all the before-recited lands in Yorkshire; as also Hakeford, Hornebye, Layburn, Brumpton, and Car- Ibid.

Lennox.

Ord. Vit. Hist. Norm. Scriptores, 511. D.

thorp, in the same county. He had likewise a great estate in Northumberland; Ordericus Vitalis stiles him Arkyllus Nordanhymbrorum potentissimus. He had a principal share in the insurrections against William the Conqueror, and, being defeated, entered into a treaty of peace with that monarch, in 1067, giving his son, Cospatrick, as a hostage for his fidelity. Next year, Arkyll rebelled again; was defeated, and forfeited, and fled into Scotland, where King Malcolm III. granted to him a large tract of land, in the counties of Dunbarton and Stirling. This tract was afterwards erected into the earldom of Lennox, in favour of his grandson, Alwyn. From this Arkyll, his descendants, the old Earls of Lennox, are denominated by the Gaelic bards and senachies Siol Arkyll, that is, the posterity of Arkyll. He married, first,

Simon Dunelm, 80. D.

Sigrida, daughter of Kilvert, the son of Ligulf, a powerful baron of Yorkshire, by whom he had a son,

Doomesday Book, App. 61. D.

Cospatrick, a hostage for his father, in 1067, who, being too young to be concerned in the insurrections, got a good share of his father's property in Yorkshire. He married the daughter of Dolphin, the son of Torphin, and had a son, Cospatrick, a descendant of whom, by a heir female, was Adam de Steavolay, who inherited his Yorkshire estates.

He married, secondly, as is said, a Scotish lady, by whom he had a son,

III. Arkyll, who inherited his father's property in Scotland; and, in the chartularies of Glasgow, Paisley, and Kelso, is designed Arkyllus, filius Arkyll. He was father of

IV. Alwyn, designed Mac Arkyll, or the son of Arkyll, who witnessed a charter of confirmation by King David I. to the abbacy of Dunfermline, along with Constantine, Earl of Fife. He witnessed several other charters of that monarch; also a general confirmation to the abbacy of Dunfermline, by King Malcolm IV., who raised him to the dignity of Earl of Lennox. He mortified to the church of Kilpatrick, in the earldom of Lennox, the lands of Cocknach, Edinvernan, Baccun, Finbealuch, Drumcreve, Craigintulloch,

Chartul. of Dunfermline, Kelso, Glasgow, Paisley, and Lennox. D. Dalr. Coll.

Monach, Kinnern, Drumglenan, Cultbuth, and Dalmannach; and died in the reign of Malcolm IV., leaving two sons,

Lennox.

1. *Alwyn*, second Earl of Lennox.

2. *Ethus*, designed son of the Earl of Lennox, in a charter to the monastery of Melrose, by Duncan, afterwards Earl of Carrick, of the lands of Maybothle Beg, or Little Maybole, in Ayrshire, in 1193; but of his posterity nothing is known, unless Dovenald le Fitz Michael More de Levenax, mentioned in Prynne's Collections in the year 1296, is descended from him.

Autogr. penes Com. de Morton. D. Chron. of Melrose. D.

V. Alwyn, second Earl of Lennox, the eldest son, being very young at his father's death, King William I. gave the ward of the earldom of Lennox to his brother, David, Earl of Huntingdon and Garioch, as appears from an inquisition taken by the abbot and convent of Paisley, concerning the lands of Monach Kenneran, now supposed to be Balchonran, upon the river Clyde, in 1233, when several of the witnesses declared, that these lands belonged to the monastery of Paisley, at the time that David, Earl of Huntingdon, brother of King William, held and possessed the earldom of Lennox. He confirmed his father's donation to the church of Kilpatrick, already recited; and added, of his own free gift, the lands of Cateconar. He also gave the church of Camsie, in the earldom of Lennox, to Walter, Bishop of Glasgow, and his successors in that see, to pray for the souls of King David, Earl Henry, and King Malcolm; and for the healthful state of his lord, King William, and Emergarda, his queen. In the original record, he is designed Alwyn, Earl of Lennox, son of Alwyn, Earl of Lennox. He likewise gave to Maldwin, Dean of Lennox, the lands of Luss, in that earldom; and died about 1194. By Eva, his wife, daughter of Gilchrist, Earl of Menteth, he had issue,

Chartul. of Paisley, 102. D.

Chartul. Glasgow. D.

Charta penes Dom. de Luss D.

1. *Maldwin*, third Earl of Lennox.

2. *Dufgallus*, who was rector of the church of Kirkpatrick, and died without issue, as appears from the retour of his three grand-nieces to him 1291.

3. *Malcolm*, who obtained for his patrimony the lands of Camsie, in the earldom of Lennox. His only son, designed Fin-

Lennox.

laus de Camsi, and Finlaus, filius Malcolmi, had three daughters, his co-heiresses; 1. Mary, married to John de Warderoba. 2. Elena, married to Bernard de Erth, whose third share of the lands of Camsie is still called the lands of Craigbernard. 3. Forveleth, married to Norrinus de Monorgund. These ladies were found nearest heirs of their grand-uncle, Dufgallus, brother of Maldwin, Earl of Lennox, by an inquisition taken in 1291; this curious and important record is printed in the Sutherland case by Lord Hailes.

Suth. Add. Case I. 6.

4. *Gilchrist*, who appears frequently as a witness in the chartularies of Paisley and Lennox. He obtained from his brother, Earl Maldwin, for his patrimony, the lands of Arrochar, in that earldom, the islands of Elanvow, Elanvanow, Elanrouglas, and Elaig, and was ancestor of the Macfarlanes of Macfarlane, an account of whom is contained in Douglas's baronage. From him descended that eminent antiquary Walter Macfarlane of Macfarlane, whose very valuable collection of chartularies and charters has been found of material use in this work.

Carta in Pub. Arch. et Autogr. penes Macf. D.

Doug. Bar. 93 to 97.

5. *Amelic*, called in old writs Hamelyn, or Havel. He got from his brother, Earl Maldwin, the lands of Roseneath in the earldom of Lennox, the church whereof he gave to the monastery of Paisley, in free, pure, and perpetual alms. He had two sons, Duncan and Amelic, whose posterity, in the male line, failed in their children, and the barony of Roseneath went to the Earl of Menteth by an heir-female. Maria, Countess of Menteth, was in possession of these lands in the beginning of the reign of David I.

Chartul. of Paisley and Lennox. D.

6. *Duncan*, who witnessed a charter of his brother, Earl Maldwin, to Humfridus de Kirkpatrick; whose posterity assumed the name of Colquhoun.

Chartul. of Lennox, 22, 91. D.

7. *Henry*, who witnessed a charter of confirmation, by his brother, Earl Maldwin, to Gilmore, the son of Maldwin, Dean of Lennox, abovementioned, of the barony of Luss, whose posterity took the name of Luss, and continued in the male line till the reign of King Robert II. or III., when Godfridus de Luss left one daughter, who married Humphry Colquhoun of Colquhoun, and brought that estate to him. An account of the antient family of Colquhoun of Luss is contained in Douglas's baronage.

Ibid. 25.

Lennox.

Doug. Bar. 23 to 28.

8. *Christinus*, who is a frequent witness to his brother, Earl Maldwin's charters, particularly one granted by him to Maurice, the son of Galbreath. Of the three last sons there are no descendants.

Chart. Lennox, 65. D.

Daughter, *Eva*, who got from her brother, Earl Maldwin, the barony of Kilsyth, in the earldom of Lennox, which she conveyed to her husband, Malcolm, the son of Duncan, Thane of Calendar, and had a son, Alwin, Thane of Calendar, ancestor of those of that name.

Chart. in Arch. Fam. de Kilsyth. D.

VI. MALDWIN, third Earl of LENNOX, the eldest son, granted to Ansilan Macbeath, ancestor of the Buchanans of Buchanan, a charter of the isle of Clarinis, in Lochlomond, witnessed by his brother Gilchrist, in 1225, wherein he is designed Earl of Lennox. He confirmed all the donations made by his predecessors to the church of Kilpatrick, which he afterwards gave, with all its possessions, to the abbacy of Paisley; as also, the lands of Drumochar and Dunteglenan, after the death of Ralph, the King's chaplain; together with the annuity which he paid out of them to the Earl, namely, three marks of silver, one chalder of meal, and one chalder of malt; confirmed by King Alexander II., 1228. He also gave to the said abbey the lands of Drumdinans, Kultinsuth, Reinford, &c.

Autogr. penes Ducem de Montrose. D.

Chartul. of Paisley. D.

When the differences betwixt King Alexander III. and King Henry III. of England were accommodated in 1237, Maldwin, Earl of Lennox, was one of the guarantees on the part of Alexander. He confirmed to the see of Glasgow the church of Camsie, and to the monastery of Paisley, all the donations made by his predecessors to that abbacy, dated 3d March 1238, and witnessed by Malcolm his son and apparent heir. He made also considerable donations to the religious at Arbroath and several other places. Understanding that King Alexander II. had a great inclination to obtain possession of the strong castle of Dunbarbarton, then the principal messuage of the earldom of Lennox, and the extensive territory of Morach, with its harbour and fishings, contiguous thereto, the Earl immediately made a surrender of the whole

Fœdera, I. 377. D.

Chartul. of Glasgow and Arbroath.

Lennox.

earldom of Lennox into the King's hands. Suth. Add. Case, v. 39. A new charter of the earldom was granted in 1238, to Maldwin, son of Alwyn, Earl of Levenax, the earldom of Levenax, which his father had possessed, tenend. sibi et heredibus suis, de nobis, et heredibus nostris, in feodo et hereditate. The castle of Dunbarton and territory of Morach were left Chartul. of Lennox. D. out of the charter, quæ ex consensu et bona voluntate ipsius Maldovini comitis, in manu nostra retinuimus; the castle has, ever since, continued a royal fort, and the town of Dunbarton was immediately erected by the King on Morach. Maldwin, Earl of Lennox, granted a general confirmation to the Chartul. of Paisley. D. monks of Paisley 1250, witnessed by Walter Cumyn, Earl of Menteth, Gilchrist, Amelic, and Duncan, brothers of Maldwin. By Elisabeth, or Beatrix, his wife, daughter of Walter, High Steward of Scotland, he had a son,

Malcolm; and a daughter,

Ada, married to Malcolm Drummond, ancestor of the Earls of Perth.

VII. MALCOLM, only son and heir apparent of Earl Maldwin, occurs frequently in the chartularies of Lennox and Paisley, Antogr. pences Decem de Montrose. D. wherein he is designed filius et heres apparens Maldovini, comitis. He died in 1248, before his father, leaving a son,

VIII. MALCOLM, fourth Earl of LENNOX, who succeeded his grandfather. In Chartul. of Lennox. D. his favour, King Alexander III. erected a large tract of land, in the earldom of Lennox, into a free forestry, by charter, dated at Kintore, 6th July 1272. He confirmed Chartul of Paisley. D. all the donations made by his predecessors to the abbacy of Paisley 1273; was one of the Scotish nobles who, at the parliament held at Scone, 5th February 1283-4, became Rymer, II. 266, 271. bound to acknowledge the title of Margaret of Norway to the throne of Scotland, in the event of the demise of King Alexander III. When that happened, the Earl of Lennox consented to the marriage of Margaret with Edward, Prince of Wales, Cart. in Pub. Arch. D. at Brigham, 18th July 1290. He confirmed the grant of the barony of Arrochar to his cousin, Duncan, ancestor of the Macfarlanes of Macfarlane, which was afterwards ratified by a charter under the great seal, 1430. He died betwixt 1290 and 1292, leaving a son,

IX. MALCOLM, fifth Earl of LENNOX, Lennox. who is designed Malcolmus, Comes de Len- Chartularies of Lennox and Paisley. D. nox, filius et heres quondam Malcolmi Comitis de Lennox, in 1292; and, the same Fœdera, II. 544. D. year, he was one of the nominees on the part of Bruce, in his competition for the crown with Baliol. He was one of the leaders of the Scotish army that invaded Cumberland, 1296; and the same year Dalr. Ann. I. 257. swore fealty to Edward I. When Robert Bruce asserted his title to the throne of Scotland, in 1306, the Earl of Lennox was Ib. II. 2. one of his principal supporters. From that monarch he obtained several charters un- Chartul of Lennox. D. der the great seal, particularly the hereditary sheriffship of the county of Clackmannan, 1310; the sheriffship and lieutenancy of the earldom of Lennox, and one of this tenor: Malcolmo, Comiti de Levenax, dilecto et fideli nostro, in recompen- Reg. Mag. Sig. sationem dominii carucatæ terræ de Car- 17. dross, medietatem terræ de Leky propinquiorem terræ de Buchanne; also another of Robertson's the lands of Stratherne, forfeited by David Index, 17. de Strabolgie, knight, dudum Comes Atholiæ. The Earl of Lennox was one of those who signed the famous letter to the Pope, asserting the independency of Scotland, 1320; and confirmed to the abbot Fordun, II. and monastery of Paisley, all the grants of 275. his predecessors to them, dated November Chartul. of Paisley and Lennox. D. 1330. He fell at the battle of Halidon- hill, 19th July 1333, valiantly fighting a- Dalr. Ann. gainst the English. He had been one of II. 184. the foremost to repair to the standard of Robert Bruce, and now paid the last duties to his country. He had two sons,

1. *Donald*, sixth Earl of Lennox.

2. *Murdoch*, who obtained from his bro- Carta penes Dom. Napier. D. ther the lands of Duntreath, which, upon his death, without succession, returned to the family.

X. DONALD, sixth Earl of LENNOX, succeeded his father 1333; was one of the nobles present in the parliament at Edinburgh, 26th September 1357, who became Dalr. Ann. II. 266. bound for the payment of the ransom of King David II. He granted a charter to Maurice de Buchanane, of the carucate of land which is called Buchanane, and Tallechy, confirmed by King David II., 6th January 1369-70. In the charter he is designed Dovenaldus, Comes de Levenax.

Lennox.

Robertson's Index, App.

He was present at the coronation of King Robert II., at Scone, 16th March 1371; and, the next day, Dominus de Levenax was one of the nobles who took the oaths of homage and fealty to Robert. His seal was appended to the act of settlement of the crown of Scotland, 4th April 1373; it is now lost, but the tag to which it was affixed remains, inscribed Levenax. The preceding day, King Robert II. granted to his son, Alexander Stewart, Lord of Ba-

Reg. Mag. Sig. 127.

denach, relevium Comitatus de Levenax, cum proximo nobis deberi contigerit, cum omnibus et singulis libertatibus et aysiamentis quæ ad ipsum relevium debeant seu poterunt juste pertinere. Donald, Earl of Lennox, died in 1373, without male issue, whereby the representation of the family, in the male line, fell to Malcolm Macfarlane of Arrochar; but the earldom of Lennox devolved on the only daughter of Donald,

XI. MARGARET, Countess of LENNOX, who married Walter, son of Alan de Faslane or de Fosselane. Alan de Faslane, the first of this family on record, had obtained the lands of Faslane from Malcolm, fifth Earl of Lennox; and his son, Donald,

Autogr. penes Macfarlane. D.

sixth Earl of Lennox, granted a charter of confirmation to Walter de Faslane, the son of the said Alan, of the lands of Faslane, Keppach, Culgrayn, Kirkmichael, Glenfrone, Ballernock, Letterduald, Moyleig, &c. dated at Bellach, on the feast of All Saints, 1351, wherein mention is made of the original donation by Earl Malcolm to

Stewart's History of the Stewarts, 206.

Alan de Faslane. Duncan Stewart derives Alan de Faslane from the high stewards of Scotland. This seems to be in some measure confirmed by a charter of Alan de Faslane, to which his seal is appended, having thereon a fess cheque of three tracts.

King Robert II., in 1384, granted a charter Waltero de Fosselane, Domino de Levenax, et heredibus suis Comitibus de

Suth. Add. Case, v. 39.

Levenax, demonstrationes armorum totius dicti Comitatus de Levenax, &c. Et quod nec dicti Comites, nec eorum heredes, nec aliqui alii homines manentes infra dict. comitatum, comparebunt coram vicecomitibus nostris, sed ubicunque probaverint in dicto comitatu suam demonstrationem armorum retinen. De qua quidem dicta armorum demonstratione videbamus evidentiam factam Malcomo, Comiti de Levenax, et suis heredibus, per Robertum regem Scotiæ nostrum predecessorem, sub forma prescripta. Insuper concessimus dicto Waltero, et heredibus suis Comitibus de Levenax, quod ipse, et sui dicti heredes, gaudeant pro perpetuo omnibus et singulis libertatibus infra comitatum predict. quibus ipse aut antecessores sui, comites ejusdem, usu sunt tempore nostro aut predecessorum nostrorum regum Scotiæ, temporibus quibuscunque retroactis, &c.

Lennox.

On this Lord Hailes observes, Words cannot more strongly express the notion of those times, that it was the possession of the comitatus which conferred the dignity of Comes. It will not be disputed, that Walter de Faslane had no right to the comitatus, other than as the husband of Margaret de Lennox; the same charter which in one place terms Walter de Faslane Dominus de Levenax, in another holds him to be Comes de Levenax; nor can it be supposed that the antecessores of Walter de Faslane were comites, and that the heredes sui were also to be comites, while he himself remained a commoner. The grant of musters is founded on a former grant, by Robert I., to Malcolm, Earl of Lennox, et suis heredibus. This would have been altogether impertinent, had heredes sui meant heirs male; for then the meaning of the sovereign would have been this: My grandfather bestowed, on the heirs male of the Earls of Lennox, the right of summoning to weapon-shawings, or musters; and therefore I take that right from them, and bestow it on you, who are married to the heir-general, and possess the estate, transmissible to the heirs of the marriage.

Walter de Faslane, and Margaret, Countess of Lennox, had four sons,

1. *Duncan.*
2. *Alexander.*
3. *Alan.*
4. *Walter.*

These three last are witnesses to a char- Chartul. of Lennox. D.

ter of Duncan, Earl of Lennox, to Murdoch, son of Malcolm, son of Duncan, ancestor of the Leckies of that ilk, of the lands of Drumfad Easter, and are therein designed brothers of the Earl.

Lennox.

XII. Sir DUNCAN LENNOX, knight, the eldest son, in consequence of the resignation of his father and mother, obtained, in 1385, a charter from King Robert II. dilecto et fideli nostro Duncano de Levenax, militi, totum comitatum de Levenax et dominium ejusdem, cum pertinen. Qui quidem comitatus, cum dominio ejusdem, fuit Walteri, filia Alani, de Fosselane, et Margaretæ sponsæ suæ, ratione dictæ sponsæ. Et quæ dicti Walterus et Margaretæ, &c. in presentia plurium regni nostri procerum, die confectionis præsentium, in castro nostro de Strevelyne, sursum reddiderunt, &c. Tenend. et habend. dictum comitatum, et dominium ejusdem, cum pertinen. &c. dicto Duncano, et heredibus suis, de nobis, &c. adeo libere, &c. sicut aliquis de antecessoribus dicti Duncani, dict. comitatum, et dominium ejusdem, &c. tenuit seu possedit. Lord Hailes here remarks, this charter of the comitatus is all the right which Duncan had to the dignity of Comes. The charter expressly bears, that Walter's right was by reason of his wife; and therefore the right of Duncan was no other than that of Walter.

Suth. Add. Case, V. 41.

Duncan, Earl of Lennox, entered into an indenture, dated at Inchmurin, in Lochlomond, 17th February 1391-2, with Robert, Earl of Fife and Menteth, afterwards Duke of Albany, whereby it was agreed, that Sir Murdac Stewart, son and heir of the said Earl of Fife, should have to wife Isabel, eldest daughter of the said Earl of Lennox, and that the Earl should resign his earldom of Lennox into the King's hands, for new infeftment thereof, to himself and the heirs male lawfully to be begotten of his body; which failing, to the said Sir Murdac and Isabel, and the heirs to be procreate betwixt them; which failing, to return to the said Earl of Lennox and his heirs. The lady was also to have 2000 marks sterling.

Penes D. de Montrose. D.

Duncan, Earl of Lennox, accordingly, resigned his earldom into the hands of King Robert III., from whom he obtained a charter, dated at Dunfermline, 8th November 1392, of the earldom of Lennox, to himself and the heirs male of his body legitimately procreated or to be procreated; which failing, Murdaco Senescallo consanguineo nostro carissimo, et Isabellæ, filiæ dicti comitis, et eorum diutius viventi, et heredibus inter ipsos legitime procreandis, quibus forte deficientibus, veris, legitimis, et propinquioribus heredibus dicti Duncani quibuscunque. He renewed this entail in 1411.

Reg. Mag. Sig. 211.

On the return of King James I. from England, Duncan, Earl of Lennox was arrested, and brought to trial at Stirling, 25th May 1425, along with his son-in-law, Murdac, Duke of Albany, and his grandson, Sir Alexander Stewart; and being convicted, all three were executed the same day. Duncan, Earl of Lennox, who was about eighty years of age when he thus suffered, had three daughters,

1. Lady *Isabel*, married to Murdac, Duke of Albany.

2. or 3. Lady *Elisabeth*, married to Sir John Stuart of Derneley.

2. or 3. Lady *Margaret*, married to Robert Menteth of Rusky.

XIII. Lady ISABEL, the eldest daughter, was married, in 1392, to Murdac Stewart, afterwards Duke of Albany, regent of Scotland; their children, four sons and two daughters, have been already mentioned under the title of Duke of Albany; and all of them predeceased their mother without legitimate issue. After the catastrophe of her father and husband, it would appear that she continued in possession of the earldom of Lennox, as she granted charters to the vassals thereof. In 1450, she founded the collegiate church of Dunbarton, and endowed it with some lands in Strathblane; the lands of Stucroger, Forkinch, Balerniebeg, and Knockdowrie Barber; and the churches of Fintray, Strathblane, and Bonhill, in Lennox.

By deed of mortification, dated at her manor of Inchmurin, 18th May 1451, Isabel, Duchess of Albany and Countess of Lennox, with consent of her dearest sister, Margaret, wife of the deceased Lord of Rusky, granted her lands of Balylogan, in the earldom of Lennox, to the prior and convent of the Dominicans at Glasgow, for the welfare of her soul, and of the souls of her dearest husband, Murdac, Duke of Albany, her father, Duncan, Earl of Lennox, her sons, Walter, James, and Alexander, to which the seals of her Grace, and

Penes Macfarlane. D.

Lennox.

her sister, Margaret, are appended. The Duchess died in the end of 1451, or beginning of 1452.

XIII. Lady ELISABETH, the second or third daughter of Duncan, Earl of Lennox, was married, about 1392, to Sir John Stewart of Derneley, killed near Orleans, 12th February 1429. Their grandson, John, Lord Derneley, was served heir of Duncan, Earl of Lennox, his great-grandfather, 23d July 1473, in half of the earldom of Lennox, and in the principal messuage of the earldom, which had been in the King's hands for the space of forty-eight years, by the death of Earl Duncan. He was afterwards Earl of Lennox, as will be shown in the next article.

XIII. Lady MARGARET, the second or third daughter of Duncan, Earl of Lennox, married, in 1392, Robert Menteth of Rusky, by whom she was infeft in some of his lands, 25th July 1392, and by him had a son, Murdac Menteth of Rusky, who married Christian, daughter of Sir David Murray of Tullibardine, by whom he had a son, Patrick, who died young, without issue; and two daughters, heirs of their brother, Agnes, married, about 1460, to Sir John Haldane of Gleneagles, master of the household, justice-general beyond the Forth, and ambassador to Denmark from King James III.; and Elisabeth, married to John Napier of Merchistoun.

There was drawn up, on the part of the Haldanes of Gleneagles, a paper printed without a date, entitled, "Memorial relative to the succession of the antient Earls of Levenax," in which it is stated that, upon the failure of Isabel, Duchess of Albany and Countess of Levenax, and her issue, a dispute arose, which of her two sisters was the eldest. That the estate of Levenax fell to be equally divided between these two sisters, and their descendants, and that it was so divided, is clear. But it was a material point to fix which of the sisters was the eldest, because to her belonged the title of dignity, the superiorities of the estate, and the principal messuage. That at first the matter was not called in question, appears from a charter of King James III. to Sir John Haldane, of the fourth part of the property of the earldom, and of the whole superiority thereof, to be held of the King, granted to him tanquam primo et principali dicti comitatus, and he was publickly infeoffed on this charter, in April 1473. Immediately afterwards, he was sent ambassador to Denmark, and from thence to France, and remained abroad till 1475. No sooner was he out of the country, than Lord Derneley, in a very irregular manner, got himself served heir of Duncan, Earl of Lennox, in the principal messuage of the earldom, and in the half of the property of the earldom, 23d July 1473. The original retour, extant in the possession of the Duke of Montrose, is blank in the name of the daughter of Earl Duncan, through whom Lord Derneley claimed; a circumstance showing with what uncertainty and inaccuracy it proceeded, and how hastily it was carried on, when the very point on which the whole hinged, could not be fixed. Lord Derneley now assumed the title of Earl of Lennox; but Sir John Haldane, when he returned home, in 1475, applied to the King, complaining of the injustice done him, and obtained letters, under the privy seal, dated 12th June 1475, revoking the service of Lord Derneley, in which it was set forth, that Lord *Derneley* had never entered or pursued his claim so long as Sir John was in the country, and that, on the contrary, he had several times offered, before the lords of council, contentation to Sir John, to give up the principal superiority of the earldom, which Sir John had always claimed in right of his wife. Sir John Haldane and his wife, and their son, James, in the same year, 1475, obtained what may be called a writ of error, being letters under the great seal for reducing and setting aside Lord Derneley's service, and the whole proceedings thereon. There is still preserved a paper which was annexed to these letters, appealing to the lords of council, that it was a matter well known to the whole of them, that Agnes Menteth was descended of the eldest sister, and Lord Derneley of the youngest, and that this was so clear and notorious, that there was no occasion to bring any proof thereof. Lord Derneley now

Lennox.

was obliged to drop the title of Earl of Lennox. In 1477, Agnes Menteth obtained brieves from the chancery for serving her heir, super terris annuis redditibus et officiis comitatus de Levenax; but her death, which happened soon after, prevented her service from being fully completed, and her right devolved on her eldest son, Sir James Haldane, who was served heir of Duncan, Earl of Lennox, by two special retours, dated 21st and 24th May 1490. He was immediately infeoffed in the fourth part of the earldom, which belonged to him in property; and that he might not seem to relinquish the other rights belonging to him, he entered a formal protest, that his not then claiming and insisting on his right to the superiority of the whole earldom, should be no prejudice to him in future time of his right to the said superiority, or his being held the principal of the said earldom, as it was known he descended from the eldest sister.

Lord Derneley had again, in 1488, after the death of James III., assumed the title of Earl of Lennox, and sat as such in parliament in October that year. A submission was entered into; and the arbiters agreed, in September 1491, that Sir John and Sir James Haldane should give up to Lord Derneley their quarter of the property of the earldom of Lennox, excepting particular lands therein named; and that Lord Derneley should resign to Sir James all the right of the superiority and tenendry of the said earldom. In 1493, an indenture was executed between the parties, by which a division of the estate was made, and certain lands allotted to each, to be held directly of the King; and, after enumerating the particular lands assigned to Sir James Haldane as his fourth share of the property of the earldom, it further conveys to him other lands of considerable extent, as a recompence to him for the right which he had, or might have, to the property or superiority of the part of the lands of the earldom, which were allotted to Lord Derneley. From the premises, the conclusion is drawn that the right to the title of Lennox is vested in the Haldanes of Gleneagles, as descended from the second daughter of Duncan, Earl of Levenax, while the Stewarts of Derneley were descended from the third daughter.

To the memorial is annexed the following pedigree of the Haldanes of Gleneagles, from Duncan, Earl of Levenax. Lady Margaret, second daughter, married, in 1392, to Sir Robert Menteth of Rusky, heir-male of the old Earls of Menteth; she lived till about 1452, had one son, Sir Murdac Menteth of Rusky, married to Christian, daughter of Sir David Murray of Tullibardine, ancestor of the Duke of Atholl. He died before the year 1456, left one son, Patrick Menteth, who died very young, and two daughters, Agnes, and Elisabeth, married to John Napier of Merchistoun. Agnes Menteth, the eldest daughter, was married about 1460 to Sir John Haldane of Gleneagles, master of the household, and justice-general beyond the Forth, under King James III. Her father's family estates were divided betwixt her and her sister Elisabeth; and the half of the estate of Levenax, which fell to her grandmother Margaret's share being likewise divided betwixt them, Agnes got the property of the fourth part of that estate, and had right to, and claimed the title of dignity, as eldest heir portioner of the last earl. Sir John Haldane died in 1493, and was succeeded by his son, Sir James Haldane of Gleneagles; who, in 1490, brought proof of his descent from the second sister, and was served heir of Duncan, Earl of Levenax, and was thereupon infeoffed. He married Christian, daughter of William, Lord Graham, ancestor of the Duke of Montrose, and was succeeded by his son, Sir John Haldane, 1505. He married Marjory, daughter of Sir John Lawson of Humby. Was succeeded by his son, Sir James Haldane, 1513. He married Lady Margaret Erskine, daughter of Robert, fourth Earl of Marr. Succeeded by his son, John Haldane of Gleneagles, 1547; married Elisabeth, daughter of John Lundin of Lundin, ancestor of the Earl of Perth. Succeeded by his son, George Haldane of Gleneagles, 1563; married Lady Jane Cunningham, daughter of William, Earl of Glencairn. Succeeded by his son, John Haldane of Gleneagles, 1574; married Isabel, daughter of Sir David Hume of Wedderburn. Succeeded by his son, James Hal-

dane of Gleneagles, 1592; married Margaret, daughter of John, Earl of Tullibardine, ancestor of the Duke of Atholl. Succeeded by his son, Sir John Haldane of Gleneagles, 1625; married Catherine, daughter to Sir John Wemyss of Wemyss, and sister of the first Earl of Wemyss. Succeeded by his son, Sir John Haldane of Gleneagles, 1653; married Margaret, daughter of Simon, Lord Lovat. Succeeded by his son, Mungo Haldane of Gleneagles, 1673; married Anne, daughter of the family of Grant. Succeeded by his son, John Haldane of Gleneagles, 1685; married, first, Mary, daughter of David, Lord Maderty; secondly, Helen, daughter of Sir John Erskine of Alva. This John Haldane of Gleneagles had five children: 1. Mungo Haldane of Gleneagles, M. P. for Stirlingshire and Perthshire, who died, unmarried, 1st June 1759, æta 73. 2. Patrick Haldane of Gleneagles, M. P. for Forfar, &c. 1715, who died 10th January 1769; he married the Hon. Margaret Forrester, third daughter of William, fourth Lord Forrester; and had a son, George, a brigadier-general, captain of a company in the third regiment of foot-guards, M. P. for Stirling, &c. from 1747 to 1758, when he was appointed governor of Jamaica, where he died, 1764. 3. Robert Haldane of Gleneagles, who acquired the family estates from his brother, Patrick, in 1764, was M. P. for Stirling, &c. 1758, and died in 1768, without issue by his wife, Elisabeth, daughter of Sir John Oglander of Nunwell in the Isle of Wight, and of Parnham in Dorsetshire, Bart. He entailed that portion of the Lennox estate, which belonged to his ancestor in right of Margaret, daughter of Duncan, Earl of Lennox, also Gleneagles, to himself and the heirs of his body; remainder to George Cockburn, his nephew, and the heirs-male of his body; remainder to his nephews, Alexander Duncan of Lundie, and Adam Duncan, and the heirs-male of their bodies respectively, with other remainders. 1. Margaret, married to Charles Cockburn of Sandybed, a son of Adam Cockburn of Ormistoun, Lord Justice-Clerk, and had one son, George Cockburn, who succeeded to the estates of Gleneagles, &c. 1768, *in* virtue of the above entail; took the name and arms of Haldane, and died 2d March 1799. He married, first, Bethia, eldest daughter of Thomas Dundas of Fingask, by Lady Janet Maitland, fourth daughter of Charles, sixth Earl of Lauderdale, and had one daughter, Janet, married to Charles Dallas of Llemyston in the county of Montgomery, and has three sons and three daughters. On the death of her half brother, George Augustus Haldane of Gleneagles, without issue, Mrs Dallas became heir-general of the family of Haldane of Gleneagles, and, it is understood, intends preferring a claim to the ancient earldom of Lennox, as heir-general of Lady Margaret, daughter of Duncan, Earl of Lennox. George Haldane of Gleneagles married, secondly, in December 1779, the Hon. Margaret Drummond, eldest daughter of James, fourth Viscount of Strathallan; they had six children: Charles, died young; George Augustus Haldane of Gleneagles, who died 26th October 1799, æta. 19, unmarried; James, who died in his 15th year; Margaret, married to Major-General William Robertson of Lude, and had two sons, John and William; Euphemia; and Elisabeth, who died in 1803, æta. 16. 2. Helen, married to Alexander Duncan of Lundie, and had two sons, Colonel Alexander Duncan of Lundie, who died unmarried, and Adam, Viscount Duncan of Camperdown, who succeeded to the estates of Gleneagles, &c. on the death of his cousin, George Augustus Haldane, in 1799.

From papers in the possession of Lord Napier, it appears that Elisabeth, second daughter of Murdac Menteth of Rusky, and co-heir of her brother Patrick, wife of John Napier, was served heir of her great grandfather, Duncan, Earl of Lennox, 4th November 1473, before a jury, qui dicunt quod Duncanus, Comes de Levenax, pro-avus Elisabethæ de Menteth, obiit ultimo vestitus et saysitus, ut de feodo, ad pacem et fidem domini nostri regis, de omnibus et singulis terris, et annuis redditibus, totius comitatus et dominii de Levenax; et quod dicta Elisabetha est una legitima et propinquior hæres ejusdem Duncani proavi sui, de tota quarta parte terrarum comitatus et dominii de Levenax, cum pertinen. tanquam de juniori filia dicti quondam Duncani legitime descendens. Penes D. Napier.

In this retour it will be observed that

Lennox. Elisabeth Menteth is stated to be descended from the younger daughter of Duncan, Earl of Lennox; and, from the date, it will be seen that it took place soon after the service of Lord Derneley, and while Sir John Haldane was abroad. Elisabeth Menteth got seisin of the fourth part of the earldom of Lennox, 16th November 1473. She settled her differences with John, Earl of Lennox, 18th May 1490, when an agreement was entered into between the Earl and Matthew Stewart, his son and heir, on the one part, and Elisabeth Menteth and her son, Archibald Napier, on the other part, relative to her share of the earldom; and her disputes with the Haldanes of Gleneagles were finally adjusted 19th June 1492, when they consented to her peaceably enjoying the fourth part of the earldom of Lennox, formerly awarded to her, and of which she was in possession.

In the first edition it is asserted that Duncan, Earl of Lennox, had a son, Donald, who, in an authentic charter of confirmation from the Countess of Lennox of the lands of Balgrochyr, in the parish of Campsie and earldom of Lennox, is designed filius legitimus quondam Duncani, Comitis de Lennox, &c. The charter is granted by Sir William Graham of Kincardine 1423; he held these lands of the laird of Craigbernard, and he of the family of Lennox; therefore, Isabel, therein designed Duchess of Albany, and Countess of Lennox, as superior thereof, confirmed the same to the said Donald in 1444; and, from him, William Lennox of Woodhead, the Lennoxes of Callie, Plumpton, Barnshogle, &c. are descended. "There appears some mistake respecting this charter, for if Donald was legitimate son of Duncan, Earl of Lennox, he must have succeeded to the earldom in preference to the daughters of Duncan.

Carta Penes Willielmum Lennox de Woodhead. D.

At the general election of representatives of the Peers of Scotland, 26th April 1768, Alexander Lennox, lieutenant in the Surry militia, appeared and entered a claim for the title of Earl of Lennox, as being the lineal heir-male of the antient Earls of Lennox, of the name of Lennox, lineally descended from a brother of Duncan, the seventh Earl of Lennox, asserting that he had a right to be enrolled and to vote as Earl of Lennox. William Lennox of Woodhead then appeared, and represented that it was he, and not the said Alexander Lennox, who was heir-male of the said Duncan, the last Earl of Lennox, and that it was he who was thereby entitled to be enrolled and to vote accordingly. The clerks officiating declined to add them to the roll, or to receive their votes, till their claims should be determined in course of law.

Robertson's Proceedings, 395.

Lennox.

A petition was presented to the King by "Alexander, Earl of Lennox," shewing that Donald, Earl of Lennox, dying without issue male, his only daughter was married to Walter, Lord Faslane. They had two sons, Duncan and Alexander. That King Robert II. conferred, *de novo*, upon the said Duncan, and his heirs-male whatsoever, the dignity of Earl of Lennox. He died in 1425, leaving issue three daughters, who inherited the estate of Lennox. That Alexander, immediate younger brother of Duncan, seventh Earl, though entitled to the honour as nearest heir-male, yet as the estate passed to Earl Duncan's three daughters and their posterity, and his fortune not being sufficient to support the dignity of his title, declined assuming it, as his descendants have continued to do till lately, by which means the title is left out of the rolls many years. And your petitioner being lineally descended from the said Alexander, was, in 1765, served nearest heir-male of the aforesaid Duncan, seventh Earl of Lennox; and, 26th April 1768, made legal claim accordingly before the peers of Scotland at Holyroodhouse; therefore praying his Majesty to be graciously pleased to give the proper directions to have his name and title of Earl of Lennox enrolled among the peers of the kingdom of Scotland. This petition was, by his Majesty's command, presented to the House of Lords 15th March 1769.

Robertson's Proceedings, 348.

Another application was made for the title of Lennox in this form: To the King's most excellent Majesty, the humble petition of Alexander Lennox, Esq. sheweth, That Duncan, the last Earl of Lennox, leaving no male issue, his immediate younger brother, Alexander, had the only

Lennox. right to the title, honour, and dignity of the family: That the said Alexander did not assume the title of honour, owing to his not being possessed of a suitable fortune to support the dignity, the family estate having passed to Earl Duncan's daughters and their posterity; and, therefore, the title lay dormant till 1771, when your petitioner was advised, that he, as the heir-male of the last Earl, had an undoubted right to the dignity: That he accordingly presented a petition to your Majesty praying that you would be graciously pleased to order that the said title, honour, and dignity of Earl of Lennox might be adjudged to belong to him; which petition was referred to the House of Lords in February 1771: That your petitioner would not have given your Majesty the trouble of this application; but that, at the time the former petition was presented, your petitioner was not so well acquainted with the circumstances of his case as he now is, having spared no pains in procuring proper proofs and authorities for supporting his claim. Your petitioner, therefore, most humbly prays your most excellent Majesty, that it may be declared and adjudged that your petitioner is entitled to the said honour, title, and dignity of Earl of Lennox, and to such other honours, titles, and dignities as are in the family. This petition was, by his Majesty's command, also presented to the House of Lords 29th November 1774; but no determination appears to have been come to on these claims. Lennox.

ARMS.—Argent, a saltire engrailed, between four roses, gules.

CHIEF SEATS.—Dunbarton Castle, till it was given up to King Alexander II., 1238; Inchmurin, in Lochlomond; Bellach, on the river of Leven; and Catter, on the water of Enrick; all in the county of Dunbarton.

STEWART, DUKE OF LENNOX.

I. SIR ALAN STEWART of Dreghorn, second son of Sir John Stewart of Bonkyl, (see title, Stewart, Earl of Angus,) second son of Alexander, the High Steward of Scotland, was the founder of this noble race. Sir Alan Stewart accompanied Edward Bruce into Ireland, 1315, and had his share in the military exploits in that kingdom. He obtained from King Robert Bruce a charter of the lands of Dregorn in Ayrshire, which belonged to John de Baliol, William de Ferrars, and Alan la Zouch, knights. King David II. granted to Alan Stewart, father to John Stewart of Derneley, the lands of Crosswell, Drochdreg, and Knockill in Rinns of Galloway. Sir Alan Stewart entered into an indenture, dated at Derneley, November 1327, with Sir Alan de Glassfrith, knight, whereby Glassfrith demised to him the lands of Argeden for 35 years; and Robert, the Steward of Scotland, granted a charter, 4th June 1330, by which he gave to his beloved cousin, Sir Alan Stewart, the liberty of purchasing heritably from Adam de Glassfrith, all his lands of Cruckisfie, lying within the said Robert's barony of Renfrew. These lands of Cruckisfie, or Cruickiston, appear to have been the first possessions enjoyed by the Stewarts of Derneley in the county of Renfrew. Sir Alan Stewart fell, with two of his brothers, Sir James and Sir John, at the battle of Halidonhill, 19th July 1333, leaving three sons,

Andrew Stuart's History of the Stewarts, 60.

1. Sir *John* Stewart of Derneley, who was one of the hostages for the liberation of John Randolph, Earl of Moray, 1340. Robert, the High Steward of Scotland, granted a charter to Sir John Stewart of Crookiston, knight, and the heirs-male of his body, which failing, to his brothers, Walter and Alexander, and the heirs-male A. Stuart. 66.

Lennox. of their bodies, all the lands held by the said John Stewart in capite of the Steward of Scotland, dated 1356; and he also granted another charter of the lands of Crokisfou, Inchennan, and Perthwyckscott, in the barony of Renfrew, to Sir John Stewart of Derneley (who resigned these lands,) his beloved cousin, and Robert Stewart, his son and heir, and the heirs male of his body; which failing, to the other heirs male of Sir John's body; which failing, to Walter Stewart, immediate next brother to Sir John, and Alexander Stewart, their youngest brother, and the heirs male of their bodies respectively. In this charter, which is dated 10th January 1361-2, is a clause, declaring that, failing heirs male of the bodies of the three brothers, the nearest heir male that can be found of the blood and name of the said Sir John Stewart, and the heirs male always of such heirs male, shall succeed to the said Sir John Stewart and his brothers for ever thereafter. John Stewart, Lord of Kyle Stewart, eldest son of Robert the steward of Scotland, by a charter of the same date, granted the lands of Torbolton and Drumley, in Ayrshire, to his cousin, Sir John Stewart of Derneley, and the same series of heirs male. Sir John Stewart of Derneley had a letter of safe-conduct to come into, or pass through England, with sixty horse and foot, 24th October 1358; and died before 15th January 1369, being mentioned in a charter of John, Earl of Carrick, eldest son of Robert the high steward, of that date, quond. nobilis vir ac noster consanguineus Dominus Joannes Seneschallus, miles, Dominus de Derneley. He had two sons, John, who was one of the hostages for the payment of the ransom of King David Bruce, specified at the conventions, 13th July 1354, and August 1357, as son and heir of John Stewart of Derneley, and died soon after the last date; and Robert, who was also one of the hostages for the same purpose, specified in the convention of 3d October 1357, as son and heir of John Stewart of Derneley, also mentioned as such in the charters of 1361-2. He appears to have died before his father, without issue.

2. *Walter*, described in the charters of 1361-2 as immediate next brother of Sir John Stewart of Derneley, whom he appears to have predeceased without issue. Lennox.

3. Sir *Alexander*.

II. Sir ALEXANDER STEWART of Derneley, the youngest son, had a charter from King David II., 26th December 1347, Alexandro Senescallo, militi, filio quond. Domini Alani Senescalli, militis, dilecto et fideli nostro, pro homagio et servitio suo tempore quo eum accinximus gladio militari, totam firmam bladi nostris debit. de baronia de Cambusnethan. He was also sheriff of Lanark. He is stiled Lord of Cruckistoun and of Derneley, in two charters of Robert the Stewart, which proves, that he succeeded to these estates before 1371, when Robert ascended the throne of Scotland. Alexander Stewart, knight, the beloved cousin of the King, obtained a letter of safe-conduct to come into England, 26th August 1374; and he had a son, A. Stewart, 77.

III. Sir ALEXANDER STEWART of Derneley, who had a charter, without a date, from John, Earl of Carrick, steward of Scotland, eldest son of King Robert II., granting to his beloved cousin, Alexander Stewart, son of Alexander Stewart of Derneley, knight, the manor and tower of Galstoun, in the barony of Kyle, in Ayrshire, which belonged to Janet de Keth, and which were resigned by her in her widowhood, to be held by the said Alexander, and the said Janet, his wife, and the longest liver of them, and the heirs procreated or to be procreated betwixt them; which failing, to the legitimate heirs whatsoever of the said Janet. From this charter, it is perfectly evident, that the husband of Janet Keith of Galstoun was Alexander Stewart, the son of Sir Alexander Stewart of Derneley, that Galstoun was her property, and that she had been formerly married. King Robert III. granted a charter, in 1391, of the lands and barony of Cambusnethan, in the county of Lanark, to Thomas de Somerville and Janet Stewart, his wife, on the resignation of his Majesty's beloved cousin, Alexander Stewart of Derneley, and Joneta, his wife, reserving to the said Alexander, and Joneta, the liferent of the lands. This Janet Stewart Ib. 83.

Lennox. was their daughter. Sir Alexander Stewart died between October 1399 and May 1404.

He married Janet, daughter and heiress of Sir William Keith of Galstoun, who was killed at the siege of Stirling, 1339, a younger son of the Marischal family. She was first married to a person of the name of Hamilton, by whom she had two sons, Andrew and William Hamilton, as is proved by a charter, from Johanna de Keth, lady of Gallystoun, in her widowhood, to her dearest son, Andrew de Hamilton, of all and whole her lands of Gallyston underwritten, to wit, the lands of Tholock, Unermomunde, Langsyde, Bryntwood, Sorn, Kylston, and Dundebane, in Ayrshire, dated 11th December 1406, to which William de Hamilton, her son, and John Stewart, her son, lord of Cruickistoun, are witnesses; and a charter of Robert, Duke of Albany, dated 24th March 1407, in favour of his beloved cousin, William de Hamilton, knight, confirming that grant which Janeta de Kecht, Lady of Gallystoun, had made to the said Sir William de Hamilton, her son, of her lands of the town of Bathkat, in the constabulary of Linlithgow. By her second husband, Sir Alexander Stewart, she had issue,

1. Sir *John* Stewart of Derneley.

2. Sir *William* Stewart of Castlemilk, killed at the siege of Orleans, 12th February 1428-9. It has already been mentioned, under the title Earl of Galloway, that, on the part of the Earl, it is contended this Sir William Stewart was the same person with Sir William Stewart of Jedworth, and that he had two sons, 1. Sir John Stewart of Dalswinton, his Lordship's ancestor; and, 2. Sir William Stewart of Castlemilk, ancestor of the Stewarts of Castlemilk and Torrence. But, according to Andrew Stuart, Sir William Stewart of Jedworth, the father of Sir John Stewart of Dalswinton, the undoubted ancestor of the Earl of Galloway, was a quite different person from Sir William Stewart of Castlemilk, who was ancestor of the Stewarts of Castlemilk and Torrence, and whose male line appears to have failed on the death of the said Andrew Stuart.

3. *Alexander*, designed of Torbane and Galliston, described as brother of Sir John Stewart of Derneley, in a charter granted by Sir John early in the fifteenth century. Lennox.

4. *Robert*, to whom his father, Sir Alexander Stewart of Derneley, made a grant of the five pound land of old extent of Newtoun of Wystoun, in Lanarkshire, to him and the heirs male of his body; which failing, to James Stewart, another son of Sir Alexander, and the heirs male of his body; which failing, to revert to Sir Alexander and his heirs. This charter has no date; but the confirmation thereof by the crown is dated 18th October 1399.

5. *James*, mentioned in the above grant.

Daughter, *Janet*, married, in 1391, to Thomas de Somerville of Carnwath, and received from her father a grant of the barony of Cambusnethan.

IV. Sir JOHN STEWART of Derneley, the eldest son, succeeded his father before 5th May 1404, when he is witness to a charter of Robert, Duke of Albany, under the designation of Sir John Stewart of Derneley. In 1420, the states of Scotland having agreed to assist Charles the Dauphin of France, sent 7000 well-chosen troops to his succour, under the command of John, Earl of Buchan, Archibald, Earl of Wigton, and Sir John Stewart of Derneley, to whom the honour and trust of constable of the Scots army in France was committed. Sir John Stewart had a great share in the victory over the English at Bauge, in Anjou, 22d March 1421, for which Charles the Dauphin, afterwards King Charles VII., made him a grant of the lands of Aubigny and Concressault. He lost an eye by a wound, and was made prisoner, at the battle of Crevant, in 1423, (where his uterine brother, Sir William de Hamilton, was killed,) and exchanged for Lord Pole, brother of the Earl of Suffolk, or the Marshal of Toulongeon. King Charles VII. made him a grant of the county of Evreux, in the duchy of Normandy, in January 1426, and permitted him and his descendants to quarter the arms of France with his own. He was one of three ambassadors sent by Charles to King James I. of Scotland, in the end of 1427 or beginning of 1428, for the purpose of negotiating a marriage betwixt Lewis, eldest son of Charles, and Marga- A. Stuart, 101.

ret, eldest daughter of James. Having successfully concluded this negotiation, Sir John Stewart returned to France in 1428, and went with the troops under his command to the assistance of the French forces, which at that time defended the town of Orleans against the English. In an engagement near Orleans, 12th February 1428-9, Sir William Stewart, his brother, having fallen into the hands of the English, Sir John extricated him, and, although wounded, made a most gallant and persevering resistance, till at length, surrounded by the enemy, and covered with wounds, he sunk to the ground. His brother, who had retired from the battle, observing what had passed, flew to his assistance, and was also slain. They were buried in the cathedral church of Orleans.

Sir John Stewart of Derneley married, *in 1392, Elisabeth*, second or third daughter of Duncan, Earl of Lennox, a noble alliance, in consequence of which great part of the estates of the earldom of Lennox afterwards came to the Derneley family. They had three sons,

1. Sir *Alan* Stewart of Derneley.

A. Stuart, 166. 2. *Alexander* Stewart, who killed Sir Thomas Boyd for treacherously murdering his brother, Sir Alan, in 1439. He left no male issue.

Ib. 167. 3. *John* Stuart, Lord of Aubigny and Concressault, in France, knight of the order of St Michael, captain of a hundred men-at-arms, who died 1482, leaving, by Beatrix D'Apecher, his wife, one son, Ber-

Ib. 197. nard Stuart, a renowned warrior, Viceroy of Naples, Constable of Sicily and Jerusalem, Duke of Terra Nova, Marquis of Girace and Squillazzo, Count of Beaumont, D'Arcy, and Venassac, Lord of Aubigny, and governor of Melun. He was sent ambassador from Charles VIII. of France to Scotland, in 1484, for renewing the antient league betwixt those two countries; was, next year, sent with auxiliaries from France to England, to the assistance of Henry, Earl of Richmond, and had a share in the victory of Bosworth, 22d August 1485, which placed Henry on the throne. He was one of the ambassadors from Charles VIII. to the Pope, in 1494, to set forth the right which Charles claimed to the kingdom of Naples. Charles went to Italy the same year, and found it necessary to assert and support his claim by force of arms. When he returned to France in 1495, he left the French forces under the command of Bernard Stuart, who, the same year, gained a signal victory near Monteleone, or Seminaria, over King Ferdinand, and the Spanish general, Gonsalvo de Cordova, distinguished by the name of the Great Captain. After obtaining several other victories, Bernard Stuart was defeated 21st April 1503. The same year he returned to France, after having passed several years in Italy, where he was no less famed and admired for his humane and gentle temper, and for his mild and equitable government in civil affairs, than for his martial achievements. He was sent ambassador from Louis XII. to Scotland, 1504; and again in 1508. Being in an infirm state of health, with a constitution worn out in military service, he died at the house of Forrester of Corstorphine, in the beginning of June 1508. According to Andrew Stuart, he was interred in the church of Corstorphine, where a monument was erected to his memory, with a figure representing him in armour. But it would appear that he was buried in the church of the Blackfriars at Edinburgh, his last will and testament being to this effect: "I bequeath my soul to Almighty "God, the blessed Virgin Mary, and all "Saints, and my body to be buried in the "church of the Blackfriars at Edinburgh. "Likewise, I bequeath, on the day of my "burial, in funerals, the poor, other pious "works, and to the said friars, L.14. The "residue of my effects I place in the dis-"cretion of my executors, Matthew, Earl "of Lennox, and John de Aytoun, that "they may dispose of the same for me and "the welfare of my soul, as they shall an-"swer before the Highest Judge in the "day of judgment." Besides, the tomb of a single recumbent figure, in the south aile of the church of Corstorphine, supposed to be his, has the arms of Forrester, and not of Stewart, on it. An inventory of his effects, in Scotland, was taken at Corstorphine, 8th June 1508, amounting, after deduction of his debts, to L.1800. He married Anne de Naumont, daughter of Guy de Naumont, Seigneur de St Quin-

tin, by whom he had one daughter, Anne, married to her cousin, Robert Stuart of Aubigny, Mareschal of France.

A. Stuart, 161.

V. Sir ALAN STEWART of Derneley, the eldest son, succeeded his father, 1429, mortified to the predicant friars of Glasgow, twenty shillings yearly out of the lands of Cathcart, 19th January 1433, and soon thereafter went to France, where he was placed in the situation of constable of the Scotish army. He was in France in 1435; and Charles, King of France, granted a protection, dated 4th August 1437, to Alan Stewart of Derneley, and John, his brother, against their creditors, his father having injured his fortune in the royal cause. Sir Alan Stewart of Derneley was treacherously slain at Powmathorn, three miles from Falkirk, in 1439, by Sir Thomas Boyd of Kilmarnock, for auld feud that was betwixt them. Which deed was soon requited thereafter, for Alexander Stewart, to revenge his brother's slaughter, manfully set upon Sir Thomas Boyd, in plain battle, where Sir Thomas was slain, with many valiant men on both sides. It was fought that day so manfully, that both the parties would retire and rest them divers times, and rencounter again at the sound of the trumpet, while, at the last, the victory inclined to Alexander Stewart.

Sir Alan Stewart married Catherine, eldest daughter of Sir William Seton of Seton; and by her, who married, secondly, Herbert, Lord Maxwell of Caerlaverock, had two sons,

1. Sir *John* Stewart of Derneley.

2. *Alexander* Stewart of Galstoun, ancestor of Lord Pittenweem,—see that title. His male line is now extinct.

Ib. 170.

VI. Sir JOHN STEWART of Derneley, the eldest son, succeeded his father, 1439, had a charter, "to Sir John Stewart of "Derneley," of the barony of Torbolton, in Ayrshire, 17th July 1460; and another, to "John, Lord Derneley," and Margaret Montgomery, his wife, of the lands of Drumley, Dreghorn, and Ragathill, in the same county, 20th July 1461, which proves that he had in that interval been created a lord of parliament by the title of Lord Derneley, most probably at the coronation of King James III., who succeeded to the throne, 3d August 1460. He was served heir of Duncan, Earl of Lennox, his great-grandfather, 23d July 1473, in half of the earldom of Lennox, and in the principal messuage of the earldom, which had been in the King's hands by the space of forty-eight years, by the death of Earl Duncan. He now assumed the title of Earl of Lennox. A precept was issued by King James III., 2d October 1473, charging the tenants and inhabitants of the earldom of Lennox to answer, attend, and obey John, Earl of Lennox, Lord Derneley. He sat in parliament, as Earl of Levenax, 20th November 1475; and, on the 4th of December following, letters were granted by the King, appointing John, Earl of Lennox, his Majesty's lieutenant within the bounds of the shires of Renfrew, Air, Wigton, and the west ward of Clydesdale. But it appears that he was no longer allowed to use that title, and reverted to his original designation of Lord Derneley, probably on account of the competition for the lands and estate of the earldom of Lennox, betwixt him, the Haldanes of Gleneagles, and Napiers of Merchistoun, which was not completely settled for several years; and it has been already stated that his service was reduced in 1475. John, Lord Derneley, was appointed warden of the west borders, by act of parliament, 2d April 1481; was one of the confederated lords who seized King James III. at Lauder, 1482, but however, attended his Majesty during his confinement in the castle of Edinburgh, as appears from a deed, dated 19th October 1482, declaring that it was at the King's particular prayer and command, that John, Lord Derneley, and certain persons attached to him, remained with his Majesty in the castle of Edinburgh, to wait upon his person night and day, and to preserve him from certain lords and persons, who were there about him, and, as the King suspected, would have slain and undone him. Therefore, the King ordered a letter to be passed under the great seal, reciting these facts, and declaring John, Lord Derneley, and all his servants and familiars who were with him in the said castle, to the number of 66, are to be free of all actions of crime of the King's hurt, majesty, or accusation,

Lennox. that may be imputed to him or them in any ways for the causes aforesaid, or occasion thereof, and declares the said John, Lord Derneley, and the persons foresaid, to be his true lieges.

Notwithstanding this deed, there is reason to conclude, that Lord Derneley was engaged with the party of King James IV. against his father, and availed himself of the circumstances of the times to establish his title to the earldom of Lennox. On the second day of the first parliament of King James IV., in October 1488, he sat as Earl of Lennox, and was from henceforth designed by that title; the custody of the castle of Dunbarton was committed to him and his son, Matthew, 20th October 1488; but the next year, 1489, they engaged in a conspiracy against the government. The Earl of Lennox led a considerable force to join the discontented nobles, and his son held *out* the castle of Dunbarton against James IV. The Earl was defeated by Lord Drummond at Tillymoss, near Stirling; and, in June 1489, sentence of forfeiture was passed in the parliament of Scotland against him and his son; but it was, on the 5th of February 1489-90, rescinded, and annulled by the King and parliament. On the 19th of the same month, the King, with advice of the three estates of the kingdom, in full parliament assembled, granted a pardon, under the great seal, for holding out the castle of Dunbarton against his Majesty, and burning the town of Dunbarton, to Matthew Stewart, son and heir-apparent of John, Earl of Lennox, Alexander Stewart, Robert Stewart, brothers of Matthew, and John Stewart, son of the Earl of Lennox. A charter was granted, 1st June 1490, proceeding on the resignation of John, Earl of Lennox, in favour of his eldest son Matthew, and his heirs, of the earldom of Lennox, lordship of Derneley, called Cruickinfee, and the lands of Galstoun, reserving to the Earl his liferent of the whole lands, and to Margaret Montgomery, his spouse, her liferent of the third part thereof. John, Earl of Lennox, granted a commission to his sons, Matthew Stewart, and John Stewart of Henriestoun, dated 8th July 1493, to go to the kirk of Drymen next day, and to commune and agree with John Haldane of Gleneagles, anent the avail of the earldom of Lennox. This is the last deed wherein he is mentioned, and his son, Matthew, is designed Earl of Lennox, 11th September 1495; so the death of John, Earl of Lennox, must have taken place betwixt these two dates. Lennox.

His Lordship married Margaret, eldest daughter of Alexander, first Lord Montgomery, according to indenture, dated at Houstoun, 15th May 1438, between Alexander Montgomery, knight, Lord of Ardrossan, on the one part, and Alan Stewart, Lord of Derneley, on the other part, by which it was agreed that John Stewart, son of Alan, should marry Margaret Montgomery, eldest daughter of Alexander. They had issue,

1. *Matthew*, second Earl of Lennox.

2. *Robert* Stuart of Aubigny, who went into the French service. On the death of Bernard Stuart of Aubigny, in 1508, King James IV. wrote to Ann, Queen of France, stating, that Robert and John Stuarts were the nearest relations of Bernard in France, and requesting that his offices and dignities might be transferred to them. Robert Stuart did homage to the King of France for the lordship of Aubigny, in the province of Berry, 21st August 1508. In the course of many years of active and important services, he acquired a very great military reputation. The historians of France and Italy have recorded his gallant actions and his successful enterprises. He attained the highest military honours and rank in France, having been created one of the Mareschals by King Francis I. 1515, at a time when there were but four mareschals in that kingdom. He was ambassador to Scotland, 1521, and received from Francis I., 15th June 1527, a royal grant of the comte, terre, et seigneurie of Beaumont le Roger, in the province of Normandy, to him and his wife, Jacqueline de Longueville. He died 1543, without issue; married, first, Anne Stuart, his cousin, daughter of Bernard Stuart of Aubigny; secondly, Jacqueline de Longueville. A. Stuart, 222.

3. *William* Stuart, Chevalier, Seigneur D'Oyzon et de Grey, counsellor and chamberlain of the King, captain of a hundred lances, mentioned as such in 1499.

4. *John* Stuart of Henriestoun, rector of Kirkinner, and rector of the University of Glasgow. He married Marion, daughter of Thomas Semple of Eliotstoun, and had one child, Margaret, married to John Fraser of Kuoik, in Ayrshire.

5. *Alexander*, described as brother of Matthew, Earl of Lennox, in a charter, 1495, and archer de la garde Ecossois, in France, 1538.

6. *Alan* Stuart of Cardonald, of which he had a charter, 1496. He had a son, John, who had a son, James, who had two sons, James of Cardonald, and Alan Stuart, made abbot of Crossregal, in 1564, both of whom died without issue; and the estate of Cardonald went to the son of their sister Margaret, Walter Stuart, first Lord Blantyre.

1. Lady *Elisabeth*, married to Archibald, second Earl of Argyll.

2. Lady *Marion*, married to Robert, first Lord Crichton of Sanquhar.

3. Lady *Janet*, married to Ninian, second Lord Ross of Halkhead.

4. Lady *Margaret*, married to Sir John Colquhoun of Luss.

A. Stuart, 211.

VII. MATTHEW, second Earl of LENNOX, succeeded his father, 1494. He obtained a safe conduct, under the designation of Master of Derneley, 5th May 1488, to go into England with the Earl of Argyll, and other enemies of King James III., and had a remission, in 1490, for holding out the castle of Dunbarton, as already mentioned. An infeftment was granted in favour of Matthew, Earl of Lennox, and Elisabeth Hamilton, his wife, of the Mains of Derneley, &c. 11th September 1495. He had a charter of Cruckisfee, Inchennan, and other lands, composing the lordship of Derneley, 18th January 1511-2, to him and his heirs male; and of the earldom of Lennox, 25th January 1511-2, to him and his heirs-general. He commanded the right wing of the Scotish army, along with the Earl of Argyll, at the fatal battle of Flodden, 9th September 1513, and fell in that sanguinary engagement. His Lordship married Elisabeth Hamilton, daughter of James, Lord Hamilton, niece of King James III., and by her had issue,

1. *William*, Master of Lennox, who married Lady Margaret Graham, eldest daughter of William, first Earl of Montrose, but had no issue by her, who married, secondly, John Somerville of Cambusnethan.

2. *John*, third Earl of Lennox.

1. Lady *Margaret*, married, first, to John, second Lord Fleming, from whom she had a charter of Biggar and Thankertoun, 15th March 1508-9; secondly, to Alexander Douglas of Mains.

2. Lady *Elisabeth*, married to Sir Hugh Campbell of Loudoun.

3. Lady *Agnes*, married to William Edmonstone of Duntreath.

VIII. JOHN, third Earl of LENNOX, the only surviving son, is designed son and heir of Matthew, Earl of Lennox, in a charter to him of the lands of Torboltoun, Galston, and Dreghorn, in Ayrshire, united into the barony of Torboltoun, 2d February 1511-2. He was one of the lords of the regency, 1524, during the minority of King James V., who, indignant at the restraint under which he was kept by the Earl of Angus and the Douglasses, invited the Earl of Lennox to assemble what forces he could to rescue him from their hands. Accordingly, in 1526, the Earl raised a powerful body of men, and set forward from Stirling, to accomplish what he had undertaken at the King's command. Angus issued proclamations in the King's name, requiring all men between 16 and 60 to rise immediately, and to follow the King and the Earl of Angus to the field of battle; and he artfully engaged the Earl of Arran, though uncle to Lennox, to join him. The two armies engaged two miles west from Linlithgow, 4th September 1526. The Earl of Lennox was taken prisoner by the Laird of Pardovan, and murdered in cold blood by Sir James Hamilton of Finnart, natural son of Arran. When the King's servants came to the field of battle, they saw the Earl of Arran standing mourning beside the body of Lennox, saying, The wisest man, the stoutest man, the hardiest man that ever was born in Scotland, was slain that day. Thus fell John, Earl of Lennox, one of the most amiable characters of the age in which he lived, and most generally beloved.

Lennox.

His Lordship married Lady Anne Stewart, eighth daughter of John, Earl of Atholl, uterine brother of King James II., and had issue,

1. *Matthew*, fourth Earl of Lennox.
2. *Robert*, sixth Earl of Lennox.
3. *John*, Lord Aubigny.

Daughter, Lady *Helen*, married, first, to William, sixth Earl of Errol; secondly, to John, tenth Earl of Sutherland, and had issue to both.

A. Stuart, 239.

IX. MATTHEW, fourth Earl of LENNOX, succeeded his father 1526. The early part of his life was passed in the service of the crown of France, in the wars in Italy, where he served with gallantry and distinction. He returned home after the death of King James V., in 1543, and was rival of the Earl of Bothwell for the favour of the Queen Dowager. The two Earls daily frequented the court, striving in magnificence of dress and in all courtly games, the one to exceed the other; but the Earl of Lennox being well bred in the wars in France, surpassed the other in ability of body and dexterity of exercises. He was of a strong body, well-proportioned, of a sweet and manly visage, straight in stature, and pleasant in behaviour. He was a zealous partizan of the projected match of Queen Mary with Edward, Prince of Wales, and, taking arms to support the English interest, was obliged to leave the kingdom, 1544. He signed a secret convention with Henry VIII., in June 1544; and was, in August following, sent into Scotland with 12 or 14 ships and 600 men. He resided at Carlisle, in the winter 1544-5, with an allowance of four marks a-day from Henry, and entered into negotiations with the Earl of Glencairn, and other discontented noblemen, to engage them on the English part. He was forfeited in parliament, 9th October 1545. Henry made him a grant of the manor of Temple Newsom, on the river Aire, near Leeds, forfeited by Thomas, Lord Darcy, for his accession to the insurrection, known by the name of the Pilgrimage of Grace. He remained in England till 1564, when he was called home by Queen Mary; his forfeiture was rescinded in December that year, and he was restored to the honours and estates of his ancestors. He was elected Regent of Scotland, 11th July 1570. Having called a parliament to meet at Stirling, 1571, a party of the friends of Queen Mary marched there to surprise him and the other royalists; and the Earl of Lennox being taken prisoner, was mortally wounded by Captain Calder, 4th September 1571. He, however, did not alight from his horse till he came to the castle; and by the way, when his friends did encourage him, he still answered, If the Babe (the King) be well, all is well. When the nature of his wound was ascertained, calling the nobility about him, he thus addressed them: I am now, my Lords, to leave you, at God his good pleasure, and to go into a world where is rest and peace. You know it was not my ambition, but your choice, that brought me to the charge I have this while sustained, which I undertook the more willingly, that I was persuaded of your assistance in the defence of the King, whose protection, by nature and duty, I could not refuse. And now, being able to do no more, I must commend him to the Almighty God and to your care, entreating you to continue in the defence of his cause, wherein I do assure you, in God's name, of the victory; and make choice of some worthy person, fearing God, and affectionate to the King, to succeed unto my place. And I must likewise commend unto your favour my servants, who never have received benefit at my hands, and desire you to remember my love to my wife Meg, whom I beseech God to comfort. This said, he took leave of them all, one by one, requesting them to assist him with their prayers, in which he himself continued some hours, and so most devoutly ended his life. A man was he of noble qualities, and if he had enjoyed a longer and more peaceable time, he had doubtless made the kingdom happy by his government. He was interred in the chapel of the castle of Stirling. George Buchanan celebrates his virtues in a well-known epitaph, published in Crawford's Peerage.

Lodge, I. 78, 84.

Spottiswoode, 257.

His Lordship married Lady Margaret Douglas, daughter of Archibald, Earl of Angus, and Margaret, Queen of Scotland, Dowager of King James V., and sister of

Lennox.

King Henry VIII.; and by her, who died at Hackney, 9th March 1577, in her 62d year, had four sons and four daughters, all of whom died young, except two sons,

1. *Henry*, Lord Derneley, born at Temple Newsom, 1545; created Duke of Albany, Earl of Ross, and Lord Ardmannoch, in 1565; married, 29th July 1565, to Mary, Queen of Scotland; and was murdered, 9th February 1566-7, leaving one son, King James VI.

2. *Charles*, fifth Earl of Lennox.

X. CHARLES, fifth Earl of LENNOX, had four charters, dated 18th April 1572, for the purpose of conveying to him and to his heirs male, the earldom of Lennox, and various other lands belonging to the Derneley family, which had devolved on King James VI. in right of blood. He accordingly became fifth Earl of Lennox, but did not long enjoy them, dying at London, in 1576, in the 21st year of his age; and was buried in Henry VII.'s chapel, in Westminster Abbey, as appears from the inscription on his mother's monument there. He married, in 1574, Elisabeth, daughter of Sir William Cavendish, sister of William, first Earl of Devonshire *, by whom he had an only daughter,

Lodge, III. 178.

Lady *Arabella* Stuart, whose double relation to royalty was equally obnoxious to the jealousy of Queen Elisabeth, and the timidity of King James VI.; and they dreaded the danger of her having a legitimate offspring. The former, therefore, prevented her from marrying Esme Stuart, Duke of Lennox, and afterwards imprisoned her for listening to some overtures from a son of the Earl of Northumberland; the latter, by obliging her to reject many splendid offers of marriage, unwarily encouraged the hopes of inferior pretenders. Thus circumscribed, she renewed a childish connection with William Seymour, afterwards Marquis of Hertford, which was discovered in 1609, when both parties were summoned to appear before the privy-council, and received a severe reprimand. This produced the very consequence which James meant to avoid; for the lady, sensible that her reputation had been wounded by the inquiry, was in a manner forced into a marriage with Mr Seymour, which becoming publickly known in 1610, she was committed to close custody in the house of Sir Thomas Parry at Lambeth, and her husband to the Tower. They effected their escape on the same day, 3d June 1611, and Mr Seymour got safe to Flanders; but the poor lady was overtaken in Calais Road, and imprisoned in the Tower, where the sense of these undeserved oppressions operating too severely on her high spirit, she became lunatic, and languished in that wretched state, augmented by the horrors of a prison, till her death, 27th September 1615; and she was buried in Westminster Abbey. One of the articles of the indictment against Sir Walter Raleigh, 17th November 1603, was, that the Lord Cobham, the 9th of June last, did meet with him at Durham House, and then and there had conference with him how to advance Arabella Stuart to the royal throne of this kingdom. Lady Arabella was completely innocent of all participation in this conspiracy †.

Lennox.

State Trials, I. 174.

IX. ROBERT STUART, *second son* of John, third Earl *of Lennox*, was created Earl of Lennox, by royal charter, dated 16th June 1578, by which the earldom of Lennox, the barony of Torboltoun, the lands of Cruckisfee, Derneley, and others, in the shires of Renfrew, Ayr, Dunbarton, and Stirling, were granted to him and the heirs male of his body. He was bred to the church; the first promotion he had was that of provost of the collegiate church of Dunbarton, and after that he was preferred to the episcopal see of Caithness, in 1542; but while he was only elect, taking part with his brother, the Earl of Lennox, against the Earl of Arran, he was deprived

A. Stuart, 250.

* This marriage gave such offence to Queen Elisabeth, on account of his descent from Henry VII., that the Countesses of Lennox and Shrewsbury, the Lady's mother, were imprisoned for some time; and the Earl of Shrewsbury, the Lady's stepfather, suffered a temporary suspension of the royal favour. Lodge, II. 123.

† A portrait of this unfortunate lady is prefixed to the third volume of Lodge's Illustrations of British History, where it is mentioned that, in 1603, the King granted to her L.800 a-year for her maintenance, with a table for her people. See also Granger's Biogr. Hist. and Pennant's London, 259.

of his bishoprick, and lived in exile till 1563, when he was again restored, at least to the profits of the see; and, complying with the reformation, he had, for his share of the riches of the church, the priory of St Andrews given him by the crown. He became sixth Earl of Lennox, in virtue of the charter 1578; but afterwards agreed to accept of the earldom of March and lordship of Dunbar, in lieu of the earldom of Lennox, so that the King might be at liberty to bestow the lands and honours of Lennox upon Esme, Lord of Aubigny. In confirmation of this arrangement, a charter was granted, 5th October 1582, of the earldom of March and lordship of Dunbar, in favour of Robert Stuart, containing a new erection of these lands into an earldom, and creating him Earl of March. After this he lived privately at St Andrews, in a studious and retired manner, happily free from any faction, till his death, 29th March 1586, in the 70th year of his age. He married Lady Elisabeth Stewart, eldest daughter of John, fourth Earl of Atholl, relict of Hugh, sixth Lord Lovat, who died in January 1576-7, but had no issue by her, who obtained a divorce from him for impotency, and married, 6th July 1581, James Stewart, Earl of Arran, High Chancellor of Scotland.

IX. JOHN STUART, Lord of AUBIGNY, third son of John, third Earl of Lennox, did homage for the lands of Aubigny, 14th July 1560. He was captain of the Scotish gens d'armes in France, and governor of Avignon, and had a son,

X. ESME, Lord of AUBIGNY, who was educated in France; being sent for by King James VI., he landed at Leith, 8th September 1579, was graciously received by his sovereign, who conferred upon him many honours, and grants of lands, and created him Earl of Lennox, 5th March 1579-80, when he had charters of the earldom of Lennox, the office of Sheriff of Dunbarton, the lands and baronies of Torbolton, Dreghorn, Cruikisfee, Inchinnan, Perthickscot, Gargannoquhan, Ballagan, Ballencrieff, Balherdie, Eistoun, and Turbane. In his favour, the earldom of Lennox was erected into a dukedom, and he was created Duke of Lennox, Earl of Derneley, Lord of Aubigny, Torboltoun, and Dalkeith, 5th August 1581. A charter was granted in his favour 13th December following, of the earldom and lordship of Lennox, &c. lordship and regality of Dalkeith, Aberdour, &c. united into the dukedom of Lennox, in the counties of Dunbarton, Renfrew, Air, Linlithgow, Stirling, Edinburgh, Haddington, Fife, Berwick, and Perth, to be held of his Majesty and his successors, in fee and heritage for ever, by Esme, Duke of Lennox, Earl of Derneley, Lord Torboltoun and Aubigny, and the heirs-male of his body, which failing, to return to the King. He was also appointed High Chamberlain of Scotland. When the Ruthven conspirators got the King into their hands, 1582, his Majesty was constrained to sign an order for the departure of the Duke of Lennox from Scotland. This order was issued with no less reluctance than the Duke obeyed it; and both mourned a separation, which neither of them had power to prevent. After many delays, the Duke set out for France in December 1582. Soon after his arrival there, the fatigue of the journey, or the anguish of his mind, threw him into a fever, of which he died at Paris on the 26th of May 1583. In his last moments, he discovered such a firm adherence to the protestant faith, as fully vindicates his memory from the imputation of an attachment to popery, with which he had been uncharitably loaded in Scotland. As he was the earliest, and best beloved, he was, perhaps, the most deserving, though not the most able, of all James's favourites. The warmth and tenderness of his master's affection for him was not abated by death itself. By many acts of kindness and generosity towards his posterity, the King not only did great honour to the memory of Lennox, but set his own character in one of its most favourable points of view.

A. Stuart, 255.

Mag. Sig. L. xxxv. No. 148 to 152.

His Grace, in 1572, married Catherine de Balsac, youngest daughter of William de Balsac, Seigneur d'Entragues et de Marcoussis, governor of Havre de Grace, mortally wounded at the battle of Renty, 1555, and by her had issue,

Anselmo, II. 439.

1. *Ludovick*, second Duke of Lennox.
2. *Esme*, third Duke of Lennox.

1. Lady *Henriet*, married, 21st July 1588, to George, first Marquis of Huntly, and had issue; and dying in France, 2d September 1642, was buried at Lyons.

2. Lady *Mary*, the second wife of John, Earl of Marr, by whom she had a numerous issue.

Contr. Penes Com. de Eglintoun. Hist. Earls of Sutherland, 125.

3. Lady *Gabriela*, contracted, in April 1598, to Hugh, fifth Earl of Eglintoun, but the marriage did not take effect. Sir Robert Gordon says she was a nun at Glatteny in Berry, in France.

XI. LUDOVICK, second DUKE of LENNOX, born 29th September 1574; succeeded his father, 1583; and was soon afterwards brought over from France to Scotland by order of King James VI., who gave him all the estates and honours which had formerly been granted to his father, with several additions and enlargements; particularly there is a charter under the great seal, dated 31st July 1583, by which his Majesty granted the earldom of Lennox, which had been erected into a dukedom, and various other lands, to Ludovick, Duke of Lennox, and his heirs-male whatsoever*. There are, in the public records, many other charters and grants in favour of Ludovick, Duke of Lennox, and many proofs, both in England and Scotland, of the estimation in which he was held, and of the high situations he enjoyed in both countries. He held the offices of Great Chamberlain, (which was granted to him hereditarily,) and High Admiral of Scotland; was sent ambassador to Henry the Great, King of France, in July 1601; returned home in December, same year, after having passed three weeks in London, during which he was entertained by Queen Elisabeth with great splendour. He attended King James VI. to England on his accession, 1603, and represented his Majesty as High Commissioner to the parliament of Scotland, 1607. He was created Earl of Richmond, 6th October 1613; Earl of Newcastle, and Duke of Richmond, 17th May 1623; was Master of the Household, first Gentleman of the King's Bed-Chamber, and one of the Knights Companions of the Order of the Garter. He had a great share in the confidence and esteem of his sovereign, which he merited as a man of an excellent character. His Grace married, first, Lady Sophia Ruthven, third daughter of William, first Earl of Gowrie; secondly, Jean, eldest daughter of Sir Mathew Campbell of Loudoun, (relict of Robert Montgomery of Giffen, stiled Master of Eglintoun, who died in August 1596;) thirdly, Frances, daughter of Thomas, Viscount Bindon, relict of Henry Prannel of London, and Edward Seymour, Earl of Hertford, (who died April 1621;) but left no children surviving of any of his marriages; he had, by his second wife, a son and a daughter who died young. His Grace died 16th February 1624, in the 50th year of his age, and was buried in Westminster abbey, where a sumptuous monument was erected to his memory, with an inscription, mentioning his titles, and the high offices he held. According to Archbishop Spottiswood, who knew him well, he was a nobleman of excellent parts, whose very aspect and countenance did promise much good. His relict, Frances, Duchess Dowager of Richmond and Lennox, died 8th October 1639, and was buried in Westminster abbey. His brother,

A. Stuart, 261.

Spottiswood, 546.

XI. ESME, third DUKE of LENNOX, constantly and faithfully followed the fortunes of King Henry IV. of France, and did homage for the seigneurie of Aubigny, 8th April 1600. He came to Scotland in 1601; was created Earl of March, in England, 7th June 1619; succeeded his brother in his Scotish titles only, 1624; and was soon afterwards installed Knight of the Garter, with great solemnity, at Windsor, in his room, being the first instance of any knight of that order immediately succeeding to his predecessor in that high honour. He did not long enjoy that dignity, dying at Kerby on the 30th of July 1624, and was buried, on the 6th of August, in Westminster abbey, near to Mary, Queen of Scotland, and Margaret, Countess of Lennox.

A. Stuart, 266.

Hist. Earls of Sutherland, 125.

* According to Sir Robert Gordon of Gordonstoun, when King James went to Denmark in 1589, he not only appointed Ludovick, Duke of Lennox, Viceroy of Scotland during his absence, but also named him heir to the crown of Scotland, in case he himself had died in that voyage.

Lennox.

His Grace married, in 1607, Catherine,* daughter and heiress of Gervase, Lord Clifton of Leighton Bromeswold; and by her, who married, secondly, James, second Earl of Abercorn, and was mother of the third Earl, and died in Scotland in 1637, had issue,

1. *James*, fourth Duke of Lennox.

Malcolm, Lond. Red.

2. Lord *Henry*, baptised at the chapel-royal, Whitehall, 2d April 1616, died young.

3. Lord *Francis*, died young.

4. Lord *George*, of whom afterwards.

5. Lord *Ludovick*, who did homage for the seignieurie of Aubigny in France, 20th November 1656; he was canon of the Church of Notre Dame at Paris, Abbe de Hautfontain, and Great Almoner to the Queen of England. He was a man of letters, much connected with the most distinguished spirits of that age; St Evremont frequently mentions him under the title of Mons. d'Aubigny, and says, Qu'il avoit beaucoup d'esprit, et encore plus de franchise. He was named Cardinal by the court of Rome, 1665, and died at Paris in November that year, a few hours after the arrival of the courier who brought him la calotte from Rome. He was buried in the church of the Chartreux of Paris; where a monument was erected with an inscription, of which these words remain: Britanniæ Regis conjugis magno eleemosynario, viro non tam claris natalibus, quam religione, morum suavitate, urbanitate, ingenii elegantia, cæterisque animi dotibus conspicuo. Qui cum in cardinalum collegio mox cooptandus est, immatura morte peremptus est, anno ætatis 46, r. l. 1665, 3tio id. Novembris. According to this statement of his age, he was the fifth son; although the instrument of homage of Aubigny bears, that these lands had fallen to him by the decease of Esme Stuart, his father, and of Henry, George, John, and Bernard Stuart, his brothers.

6. Lord *John*, a general of horse in the service of King Charles I.; killed at the battle of Alresford, 29th March 1644, without issue. He was a young man of extraordinary hope, little more than one-and-twenty years of age, who, being of a more cholerick and rough nature than the other branches of that illustrious and princely family, was not delighted with the softnesses of the court, but had dedicated himself to the profession of arms, when he did not think the scene should have been in his own country. His courage was so signal that day, that too much could not be expected from it, if he had outlived it, and he was so generally beloved that he could not but be generally lamented. He fell into an ambuscade of the enemy; had two horses killed under him; received six wounds; and died amidst several hundreds of his men, with whose dead bodies his own was surrounded. He was buried at Christ-Church in Oxford.

Lennox.

7. Lord *Bernard*, who commanded the King's troop, which consisted of 120 persons of rank and fortune, who, on every occasion, exerted themselves with a generous ardour for their sovereign, and were victorious in several actions. He was created Earl of Litchfield in 1644-5, in consideration of his gallant behaviour near that city. This excellent young nobleman, who was as much esteemed for his virtues in private life, as he was admired for his valour in the field, was killed at the battle of Rowtonheath, near Chester, 26th September 1645, having first secured the retreat of the King, whose person was in great danger. He was a very faultless young man; of a most gentle, courteous, and affable nature, and of a spirit and courage invincible, whose loss all men exceedingly lamented; and the King bore it with extraordinary grief. He died without issue.

1. Lady *Elisabeth*, married, in December 1626, to Thomas, Earl of Arundel.

2. Lady *Catherine*, baptised at St Anne's, Bishopsgate, 20th August 1613, died young. Malc. Lond. Red.

3. Lady *Anne*, baptised at the same place, 23d November 1614, married to Archibald, Earl of Angus, and had issue, and died 16th August 1646, æta. 32. Ibid.

4. Lady *Frances*, married at Putney, Lysons.

* A most favourable opinion will be formed of this lady from her elegant and simple billet to King James VI.—Dalrymple's Memorials, I. 180. Her father was committed to the Tower in 1617, for threatening the life of Lord Keeper Bacon, and soon afterwards destroyed himself.—Lodge III. 331.

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 June 1632, to Jerome (Weston) Earl of Portland.

XII. JAMES, fourth Duke of LENNOX, born in Blackfriars, London, 6th April 1612, and baptised in the Chapel-royal, Whitehall, on the 26th of that month, the King being his godfather, succeeded his father, 1624. King James being the nearest heir-male of the family then of age, became, by the law of Scotland, his tutor and guardian. He appointed commissioners for the management of his estates; took a particular charge of his education; and settled several considerable pensions on him and his mother. He was first sent to the university of Cambridge, then travelled to France, Spain, and Italy, and was created a grandee of Spain. He was sworn a privy-councillor; appointed Lord Warden of the Cinque Ports, and Master of the Household. He was also installed a Knight of the Garter, being the third of the family in succession who had that honour, and was created Duke of Richmond, by patent, dated 8th August 1641, to him and the heirs-male of his body, which failing, to all his brothers successively, and the heirs-male of their bodies. During the civil wars he adhered to the King's interest so firmly, that he was pursued by the other party with great acrimony. Lord Clarendon gives this character of his Grace: The Duke of Lennox and Richmond, as he was of the noblest extraction, being the nearest allied to the King's person, of any man who was not descended from King James; so he was very worthy of all the grace and favour the King had shewn him; who had taken great care of his education, and sent him into France, Italy, and Spain, where he was created a grandee of that kingdom; and, as soon as he returned, though he was scarce 21 years of age, made him a privy-councillor; and, shortly after, out of his abundant kindness to both families, married him to the only daughter of the Duke of Buckingham, with whom he received L.20,000 in portion; and his Majesty's bounty was likewise very great to him, so that, as he was very eminent in his title, he was at great ease in his fortune. He was a man of very good parts, and an excellent understanding, yet, which is no common infirmity, so diffident of himself, that he was sometimes led by men who judged much worse. He was of a great and haughty spirit, and so punctual in point of honour, that he never swerved a tittle. He had so entire a resignation of himself to the King, that he abhorred all artifices to shelter himself from the prejudice of those who, how powerful soever, failed in duty to his majesty; and, therefore, he was pursued with all imaginable malice by them, as one that would have no quarter upon so infamous terms, as but looking on while his Majesty was ill used. As he had received great bounties from the King, so he sacrificed all he had to his service, as soon as his occasions stood in need of it, and lent his Majesty at one time L.20,000; and as soon as the war began, engaged his three brothers, all gallant gentlemen, in the service, in which they all lost their lives. Himself lived, with unspotted fidelity, some years after the murder of his master, and was suffered to put him into his grave." According to Granger, the Duke had the sincerest affection for the King, and was one of the noblemen who offered to suffer in his stead; the whole tenor of his behaviour to that prince, and his extreme regret for his death, shew that he was much *in earnest* in offering to be a *vicarious victim* for him. He died, of the effects of grief as is supposed, 30th March 1655, in the 43d year of his age.

By Lady Mary Villiers, his wife, only daughter of George, first Duke of Buckingham, (relict of Charles, Lord Herbert, who died 1635,) he had one son,

Esme, fifth Duke of Lennox; and one daughter,

Lady *Mary*, married, in September 1664, to Richard Butler, Earl of Arran, son of James, Duke of Ormond, and dying without issue, in July 1667, in the 18th year of her age, was buried at Kilkenny.

XIII. ESME, fifth Duke of LENNOX, and third Duke of RICHMOND, the only son, succeeded his father 1655, and died at Paris on the 14th of August 1660, unmarried. He was buried in Westminster Abbey on the 4th of September follow-

Lennox. ing, 150 coaches attending his funeral, as the Weekly Intelligencer asserted.

XII. Lord GEORGE STUART, fourth son of Esme, third Duke of Lennox, was received in France as Lord of Aubigny, performing homage for these lands, 5th August 1636. He was killed at the battle of Edgehill or Keinton, 23d October 1642, and was buried in Christ-Church, Oxford. According to Clarendon, The Lord Aubigny was a gentleman of great hopes, of a gentle and winning disposition. He was killed in the first charge with the horse, where there being so little resistance, gave occasion to suspect that it was done by his own lieutenant, who was a Dutchman, and had not been so punctual in his duty, but that he received some reprehension from his captain, which he murmured at.

He married Lady Catherine Howard, daughter of Theophilus, second Earl of Suffolk, and by her, who married, secondly, James, first Earl of Newburgh, had one son,

Charles, sixth Duke of Lennox; and a daughter,

Lady *Catherine*, married, first, in 1664, to Henry, Lord Ibrackan, eldest son and heir apparent of Henry, seventh Earl of Thomond, who died 1st December 1678; secondly, to Sir Joseph Williamson, knight. By her first husband she had one daughter, Catherine, married to Edward, Earl of Clarendon. This Catherine, Countess of Clarendon, claimed the title of Baroness Clifton of Leighton Bromeswold, as heir-general of Catherine, Duchess of Lennox, her grandmother, and her claim was allowed by the House of Peers in February 1674. She had an only daughter, Lady Theodosia Hyde, married, 24th August 1713, to John Bligh, Esq. who was created Earl of Darnley, in the kingdom of Ireland, 7th March 1722, and her descendant, the present Earl of Darnley, enjoys the English Peerage of Baron Clifton of Leighton Bromeswold.

XIII. CHARLES, sixth Duke of LENNOX, and fourth Duke of RICHMOND, the only son, was created Lord Stuart of Newbury, and Earl of Litchfield, 21st December 1645; succeeded his cousin, as Duke of Lennox, 1660; was invested with the order of the garter, 1661; did homage, by a substitute, to Louis XIV. for the lordship of Aubigny, 11th May 1670; was appointed ambassador-extraordinary to the court of Denmark; and dying at Elsineur in December 1672, without issue, was buried in Westminster Abbey. It is said he Dugdale. was thrice married; first, to Elisabeth, daughter of Richard Rogers of Brianstone in the county of Dorset, relict of Charles, Lord Mansfield, eldest son of William, Duke of Newcastle; secondly, to Margaret, daughter of Laurence Banaster, son of Sir Robert Banaster of Papenham in Buckinghamshire, knight, widow of William Lewes of the Vann, in the county of Glamorgan. His Grace's third wife was Frances Terese, eldest daughter of Walter Stuart, third son of Walter, first Lord Blantyre, celebrated as the most beautiful woman in the court of King Charles II., who wished to marry her, as already mentioned under the title of Lord Blantyre. The marriage was publickly declared in April 1667; she had the whole Lennox estates settled on her in liferent, and there was a charter under the great seal, for that purpose, passed in her favour, 22d December 1673. She died 15th October 1702. By her will, executed 24th September preceding, and proved on the 21st October, she bequeathed the principal part of her great fortune to Lord Blantyre, who purchased the estate of Leithington, and, out of gratitude to his benefactress, called it Lennox-Love.

Charles, sixth Duke of Lennox, dying without issue, the dukedom of Lennox devolved on King Charles II. as nearest collateral heir-male; and his Majesty was, on the 6th of July 1680, served heir in special of Charles, Duke of Lennox, his cousin; the fourteen senior Lords of Session were the members of the inquest, and the Lord Chancellor was chancellor to the assize; the four Macers were the judges.

The whole male line of Sir John Stuart of Derneley, first Lord of Aubigny, terminated in Cardinal York, who died at Rome in 1807.

LENNOX, DUKE OF LENNOX.

Lennox.

I. CHARLES LENNOX, son of King Charles II. by Louise Renée de Penancoet de Keroualle, Duchess of Portsmouth and Aubigny,* born 29th May 1672, was created Duke of Richmond, Earl of March, and Baron of Setterington, 9th August 1675; and Duke of Lennox, Earl of Darnley, and Baron of Torboltoun, by letters patent, dated at Windsor 9th September 1675, reciting, that it being known to his Majesty that the Dukes of Lennox, and their predecessors, had, for many ages past, been splendid and illustrious noblemen in his antient kingdom of Scotland, and had endeared themselves to his Majesty, and to his predecessors, by many signal services; therefore, being desirous and resolving that the titles of honour, hereinafter named, pertaining and belonging to the Dukes of Lennox, but now falling and descending to his Majesty as heir-male of the deceased Duke of Lennox, should by no means be suppressed and confounded in his royal person, but that they should be created, preserved, and established in the person of some man nearly related to him; his Majesty, for the love and favour which he bears to his most beloved natural son, Charles Lennox, makes, constitutes, and creates him Duke of Lennox, Earl of Darnley, and Lord of Torboltoun. These honours and titles of dignity are thereby granted to the patentee, and to the heirs-male lawfully descending of his body. A charter passed the great seal, 20th August 1680, by which the lands, dukedom, earldom, and lordship of Lennox, were granted to his Grace, and the heirs-male of his body, which failing, to return to his Majesty, his heirs and successors. The charter recites the right which his Majesty had to these lands, as nearest heir-male of the deceased Charles, Duke of Lennox, and contains a reservation to the Duchess of Lennox, his widow, of the right which she had to the estate during her life. After her death, in 1702, the Duke of Richmond and Lennox sold the whole of the Lennox estates belonging to him in Scotland, and they were purchased by the Duke of Montrose, from the person to whom the Duke of Richmond had sold them.

Lennox.

King Charles II., by letters patent under the great seal of England, 18th November, in the 29th year of his reign, for the increase of the revenue, and the better support of the honour and dignity of his right trusty and well beloved son, Charles, Duke of Richmond and Lennox, granted to him, and the heirs of his body to be begotten, the sum of twelve-pence for every chaldron of coals, sold, shipped, carried, or vended forth or out of the haven or river of Tyne, belonging to the town of Newcastle-upon-Tyne, to be spent within the realm, and not transported beyond the seas, granted by the governors, stewards, and brethren, of the fellowship of the hostmen of the town of Newcastle, to Queen Elisabeth, her heirs and successors, 8th April, in the 42d year of her reign, subject to an annuity of L.500 to Sir Thomas Clarges and his heirs, and to the yearly

* The house of Penancoet de Keroualle, in Britany, proceeds from Francis de Penhoat, who married Jeanne de Penancoet, Dame de Keroualle, 10th May 1330. From them descended William de Penancoet, chevalier, stiled Comte de Keroualle; married, 27th February 1643, to Marie de Plocue, daughter of Sebastien, Baron de Plocue, Marquis de Timeur et de Kergolay; he died in 1690, she in January 1709. Their eldest daughter, Louise Renée de Penancoet de Keroualle, was sent into England by Louis XIV. with the Duchess of Orleans, 1670; and attracting, by her wit and beauty, the attentions of Charles II., was, in 1673, created Baroness of Petersfield, Countess of Farnham, and Duchess of Portsmouth. The same year, Louis XIV. erected the lands of Aubigny, in the province of Berry, into a duchy and peerdom in favour of her Grace, during her life, remainder to Charles Lennox, her son, and his male issue; the patent was registered by the Parliament of Paris, 14th April 1674. Her Grace died at Aubigny in France, 1st November 1734, in her 88th year, retaining her faculties to the last.—Histoire Genealogique de France, par Anselme et Dufournay.

Lennox.

rent of L.1:6:8 to his Majesty, his heirs and successors. This continued in the family till 1799, when the commissioners of public accounts having recommended the purchase thereof, an act was passed to enable the lords of the treasury to contract with the Duke of Richmond for the absolute purchase of the property of the said Duke, and of all others interested, in a certain duty of twelve-pence per chaldron of coals shipped in the Tyne, and to grant a compensation for the same, by way of annuity, payable out of the consolidated fund. In pursuance of this act, the lords of the treasury, by indenture dated 19th April 1799, reciting, that the revenue arising from the said coal duties, had been for upwards of fifty years progressively increasing, and, upon an average of the last ten years, the same had amounted to the yearly sum of L.21,000, agreed with the Duke of Richmond for the absolute purchase and surrender of the interest of his Grace and others in the said duties, in consideration of an annuity in lieu thereof of L.19,000, to be payable out of the consolidated fund, free and clear of all deductions and taxes whatsoever, to Charles, Duke of Richmond, and the heirs male of his body; and in default then to Lord George Henry Lennox, and the heirs male of his body; and in default to the heirs of the body of Charles, Duke of Richmond, grantee in the letters-patent of Charles II., with power of redemption by the purchase of so much three per cent. consolidated bank annuities, as should produce a clear yearly annuity equal to L.19,000 a-year, or so much thereof as should be redeemed. This agreement was ratified by act of parliament, 1799.

Charles, Duke of Richmond and Lennox, was elected a knight of the Garter, 7th April 1681; installed at Windsor on the 20th of that month; appointed, on the removal of the Duke of Monmouth, master of the horse to the King, which he held till the accession of James VII. when he lost the office, on account of his mother's promoting the Bill of Exclusion. He resided in France during the reign of James; came over at the revolution; declared himself for the religion and constitution of his country; served in Flanders under King William, to whom he was aide-de-camp; and was one of the lords of the bedchamber to George I., in which station he died in the lifetime of his mother, at Goodwood, 27th May 1723, æta. 51; buried, first, in Henry VII.'s chapel, in Westminster Abbey, afterwards removed to Chichester cathedral. A contemporary says of him, "He is a gentleman, good-natured to a "fault, very well bred, and hath many va- "luable qualities in him; is an enemy to "business, very credulous, well-shaped, "black complexion, much like King "Charles." Macky's Memoirs.

Lennox.

His Grace married, 10th January 1693, Anne, third daughter of Francis, Lord Brudenel, eldest son of Robert, Earl of Cardigan, dowager of Henry, Lord Belasyse of Worlaby; and by her, who died 9th December 1722, had three children,

1. Lady *Louisa*, born 25th December 1694, married to James, third Earl of Berkeley, K. G. and had issue; and died of the small-pox, 15th January 1717, æta. 23.

2. *Charles*, second Duke of Richmond and Lennox.

3. Lady *Anne*, born 3d June 1703; married, at Caversham, 21st February 1733, to William Anne, second Earl of Albemarle, and had issue.

II. CHARLES, second Duke of RICHMOND and LENNOX, born at London, 29th May 1701; was chosen Member of Parliament for Chichester, at the general election, 1722; succeeded his father 1723; and his grandmother, as Duke of Aubigny, 1734. His Grace was invested with the order of the Bath, 1725; nominated a knight of the Garter, 26th May 1726; and installed at Windsor, 16th June same year, being at that time one of the lords of the bedchamber and aide-de-camp to the King; in both which offices he was continued by George II., at whose coronation he officiated as lord high-constable of England. His Grace was appointed master of the horse, 8th January 1735; sworn a privy-councillor next day; had the rank of brigadier-general in the army, 2d July 1739; was declared one of the lords-justices during the King's absence, 12th May 1740; again, 1745, 1748, and 1750, had the rank of major-general in the army, 1st June

1742, and was placed on the staff of South Britain; attended George II. during the campaign 1743; was at the battle of Dettingen, 27th June that year; was actively employed against the rebels, 1745 and 1746; and assisted at the reduction of Carlisle, having attained the rank of lieutenant-general, 6th June 1745. His Grace was appointed colonel of the royal regiment of horse-guards blue, 17th February 1750; and died 8th August same year; buried in the cathedral of Chichester.

His Grace married, at the Hague, 4th December 1719, Lady Sarah Cadogan, eldest daughter and coheiress of William, first Earl of Cadogan; and by her, who was born 18th September 1706 *, was one of the ladies of the bedchamber to Queen Caroline, and died 25th August 1751, æta. 45, had twelve children,

1. Lady *Georgina Carolina*, born 28th March 1723; married, 2d May 1744, to Henry Fox, afterwards Lord Holland, and had issue. She was created a peeress, by the title of Baroness of Holland, 4th May 1762; and died 24th June 1774, æta. 52.

2. A son, born and died 3d September 1724.

3. Lady *Louisa Margaret*, born at London, 15th November 1725; died at Paris, 28th May 1728; buried in Westminster Abbey.

4. Lady *Anne*, born 1726; died December 1727.

5. *Charles*, Earl of March, born 9th September 1730; died same year.

6. Lady *Emilia*, born 6th October 1731; married, first, 7th February 1747, to James, first Duke of Leinster, and had seventeen children; secondly, in 1774, to William Ogilvie, Esq. and had two daughters.

7. *Charles*, third Duke of Richmond and Lennox.

8. Lord *George Henry* Lennox.

9. Lady *Margaret*, born 16th November 1739; died of the small-pox, at Goodwood, 10th January 1741.

10. Lady *Louisa Augusta*, born 24th November 1743; married, at Carton, 30th December 1758, to the Right Hon. Thomas Conolly of Castleton, in the county of Kildare, M. P. without issue.

11. Lady *Sarah*, born 14th February 1745; one of the ten young ladies of quality who supported the train of Queen Charlotte at her nuptials, 8th September 1761; married, first, 2d June 1762, to Sir Thomas Charles Bunbury of Mildenhall, in Suffolk, Bart. Member of Parliament for that county, without issue; secondly, at Boxgrove, in Sussex, 25th August 1781, to the Hon. George Napier, sixth son of Francis, Lord Napier, and has several children.

12. Lady *Cecilia Margaret*, born 28th February 1750; died at Paris 21st November 1769, æta. 20, unmarried.

III. CHARLES, third Duke of RICHMOND, LENNOX, and AUBIGNY, born at London, 22d February 1735; succeeded his father, August 1750; and the next month proceeded on his travels abroad. Choosing the military line, his Grace had a captain's commission in the 20th regiment of foot in June 1753; was made lieutenant-colonel of the 33d regiment of foot in June 1756; took his seat in parliament the same year; was promoted to the command of the 72d regiment of foot, 9th May 1758; accompanied the expedition under the Duke of Marlborough to the coast of France that year; afterwards served in Germany; was at the battle of Minden, 1st August 1759; and had the rank of major-general in the army, 9th March 1761. On the accession of King George III. his Grace was appointed one of the additional lords of the bedchamber, but resigned that office a fortnight after he had received it, on account of his brother, Lord George Lennox, who had eminently distinguished himself at the head of the British grenadiers at the battle of Closter-campen, not getting the rank of colonel, while two junior lieutenant-colonels were promoted over his head. His Grace was declared lord-lieutenant and custos-rotulorum of the county of Sussex, 18th October 1763; was nominated ambassador-extraordinary and plenipotentiary to the court of France, in 1765; was sworn a privy-councillor, 23d October same year, and proceeded to Paris, where he conducted

Dodington's Diary, 502.

* Her Grace, of course, was only a few weeks beyond her 13th year at her marriage. Anselme, in his Genealogical History, says, le mariage n'a été consommé qu'au mois de Juin 1722.

himself with great spirit, insisting on the fulfilment of the article of peace for the demolition of the basin of Dunkirk. His Grace was recalled from his embassy next year; received the seals of secretary of state for the southern department, 23d May 1766; and continued to discharge the duties of that important place till 2d August following, when he resigned.

From that period his Grace uniformly acted in opposition to government: the American war found in him a most zealous opponent. He submitted to the House of Lords, 18th May 1770, eighteen resolutions, tending to prevent a rupture with the colonies; supported Lord Chatham's motion for the removal of the British troops from Boston in January 1775; and moved an address to his Majesty, 5th March 1776, that he would be pleased to countermand the march of the Hessian troops, and likewise give directions for an immediate suspension of hostilities with America. His exertions were not confined to the House of Lords, he was elected president of the meeting at the St Alban's tavern for carrying the measure of parliamentary reform into effect, and he published a letter on that subject.

Lord North being at last driven from the helm, the Duke of Richmond was constituted master-general of the ordnance, and invested with the order of the Garter, at St James's, 19th April 1782. On the schism in the cabinet, after the death of the Marquis of Rockingham, his Grace, adhering to the Shelburne party, was dismissed from the command of the ordnance, 9th April 1783, and once more entered the lists of opposition, in which, however, he did not continue long; for, on the establishment of the Pitt administration in December same year, he was reinstated in his post of master-general of the ordnance. In the course of his assiduous attention to the duties of that office, he formed a gigantic and enormously expensive plan for improving the fortifications of the kingdom, which was thrown out of the House of Commons by the casting vote of the speaker. His Grace quitted the ordnance, 15th July 1795, on being appointed to the command of the royal regiment of horse-guards blue; had the rank of lieutenant-general in the army, 30th April 1770; general, 20th November 1782; and field-marshal of his Majesty's forces, 30th July 1796. After this, he withdrew in a great measure from public life, residing chiefly at his seat of Goodwood, which he partly rebuilt, and enlarged with the addition of two new wings. He died there, 29th December 1806, in the 72d year of his age, being then a privy-councillor, knight of the Garter, a field-marshal of his Majesty's forces, colonel of the royal regiment of horse-guards blue, lord-lieutenant, custos-rotulorum, and colonel of the militia of the county of Sussex, high-steward of Chichester, F. R. S. F. S. A.; and he was buried in the cathedral of Chichester.

His Grace possessed distinguished powers of mind, and a persevering spirit of industry; and made a conspicuous figure in parliament. Though he never acquired an easy flow of language, or was enabled to call to his aid those happy allusions, or that classic imagery, with which the minds of some of his contemporaries were fully stored, the arrangement of his speeches was judicious; and what he advanced was supported by observation, good sense, and knowledge. His fortune was greatly increased by a prudent economy in his domestic establishment.

His Grace married, 1st April 1757, Lady Mary Bruce, only child of Charles, fourth Earl of Elgin and third Earl of Ailesbury, by his third wife, Lady Mary Campbell, only daughter of John, fourth Duke of Argyll; but had no issue by her, who died at Goodwood, 5th November 1796.

III. Lord George Henry Lennox, second surviving son of the second Duke of Richmond and Lennox, born 27th November 1737; was appointed ensign of the first regiment of foot-guards, 2d April 1751; exchanged into the second foot-guards, 1752; got a company of the 25th foot, 23d March 1756; made the campaign of Germany, as aide-de-camp to the Duke of Cumberland, 1757; had the lieutenant-colonelcy of the 33d foot, on his brother's promotion, 8th May 1758; was on the expedition against the coast of France that year; and, in 1760 and 1761, served in Germany under Prince Ferdi-

nand, who, in his dispatches to the Marquis of Granby, from the Convent at Buhren, 6th August 1761, said, "I think "it my duty to mention how much I ad- "mire the valiant and brave conduct of "Lord George Lennox, with the picquets, "and of Major Welsh, with his battalion "of grenadiers, yesterday, in the attack "on the post and village of Westen. I "beg your Lordship will be pleased to sig- "nify to them my most grateful acknow- "ledgments, and that these two gentle- "men would do the same to the brave "troops who were led on by commanders "of such distinguished valour." His Lordship was nominated one of his Majesty's aides-de-camp, with the rank of colonel in the army, 20th February 1762; and that year served in Portugal as a brigadier-general. He was appointed colonel of the 25th foot, 22d December 1762; and retained the command of that fine regiment till his death. In 1765, he attended his brother, the Duke, as secretary on his embassy to the court of France; and on his Grace's obtaining leave of absence, was left charge des affaires there. He was chosen Member of Parliament for Chichester, at the general election, 1761; elected for the county of Sussex, on a vacancy, 1767; and constantly rechosen for that county till 1790, when he declined the representation. In the memorable contest for Sussex, 1774, betwixt Sir T. S. Wilson and Sir James Peachy, wherein the former gained his election, by protracting the poll twenty-eight days, the friends of both parties found it necessary to disclaim all intention of disturbing Lord George in his seat; and the freeholders, in voting for either of the rival candidates, anxiously guarded his Lordship's interest. He retained his situation thus honourably, till it was his own wish to retire from parliament, when the freeholders transferred their suffrages to his son. Being appointed, 17th February 1784, constable of the Tower of London, and lord-lieutenant of the Tower Hamlets, Lord Maitland, 3d March, brought forward a motion for determining whether that office was to be considered as a civil or military employment, and whether Lord George Lennox might not sit and vote in the House of Commons. After a long debate, it was determined, without a division, that the appointment of Lord George Lennox, being a military man, to be constable of the Tower, did not vacate his seat in parliament. In November 1784, his Lordship was appointed governor of the important garrison of Plymouth; he had the rank of major-general, 25th May 1772; lieutenant-general, 29th August 1777; general, 15th October 1793; and was sworn a privy-councillor. His Lordship died, after a long illness, at Stoke Park, 25th March 1805, in his 68th year, being then a privy-councillor, governor of Plymouth, colonel of the 25th regiment of foot, and a general in the army. He was much beloved in private life, and adored by the soldiers of his regiment, to whom he ever showed paternal care and kindness.

His Lordship married, at Dumfries, 25th December 1759, Lady Louisa Kerr, eldest daughter of *William Henry*, fourth Marquis of Lothian, by whom he had four children,

1. Lady *Mary Louisa*, born in Privy Garden, Whitehall, 2d November 1760, to whom, 9th May 1807, the King's warrant was granted, that she and her sister, Lady Amelia Charlotte, should enjoy the same rank as the daughters of a Duke, in the same manner as if their father had survived his brother the Duke of *Richmond*.

2. Lady *Amelia Charlotte*, born in Portugal, December 1763; married, 23d August 1784, to the *Hon.* George Cranfield Berkeley, vice-admiral in the royal navy, Member of Parliament for the county of Gloucester, brother of the Earl of Berkeley, and has issue.

3. *Charles*, fourth Duke of Richmond and Lennox.

4. *Georgina*, born at Goodwood, 1765; married, 1st April 1787, to Earl Bathurst, and has issue.

IV. CHARLES, fourth Duke of RICHMOND and LENNOX, born in Scotland, 1764; was captain of a company in the Coldstream regiment of foot-guards, in 1789, when he had the misfortune of having an affair of honour with his colonel, of which an authenticated account was published by the seconds, the Earls of Win-

chilsea and Moira. He exchanged his company in the guards for the lieutenant-colonelcy of the 35th regiment of foot, 16th June 1789; served in the Leeward Islands, and arrived from Martinique with eight flank companies of foot, in St Domingo, 8th June 1794, just at the breaking out of that pestilential disease, the yellow fever, to which 40 officers and 600 rank and file fell victims in two months. He was appointed aide-de-camp to the King, with the rank of colonel in the army, 28th January 1795; had the rank of major-general, 1st January 1798; was made colonel-commandant of the 35th foot, 1800; colonel of that regiment, 17th May 1803; and attained the rank of lieutenant-general, 1st January 1805. He was chosen Member of Parliament for the county of Sussex, at the general election, 1790; rechosen 1796, 1802, and 1806; but immediately afterwards, his seat became vacated by his succession to the dukedom. His Grace was, 1st April 1807, sworn a privy-councillor, and appointed lord-lieutenant of Ireland.

His Grace married, at Gordon Castle, 9th September 1789, Lady Charlotte Gordon, born 20th September 1768, eldest daughter of Alexander, fourth Duke of Gordon, and they have fourteen children.

1. Lady *Mary*, born at Richmond House, London, 15th August 1790.

2. *Charles*, Earl of March and Darnley, born at Richmond House, London, 3d August 1791, an officer of approved gallantry, aide-de-camp to Viscount Wellington.

3. Lady *Sarah*, born in Dublin, 22d August 1792.

4. Lord *John George*, born in the Phœnix Park, Dublin, 3d February 1794.

5. Lady *Georgiana*, born at Molecomb, in Sussex, 27th September 1795.

6. Lord *Henry Adam*, born at Richmond House, London, 6th September 1797.

7. Lady *Jane*, born at Winestead, in Yorkshire, 5th September 1798.

8. Lord *William Pitt*, born at Winestead, in Yorkshire, 20th September 1799.

9. Lord *Frederick*, born in London, 24th January 1801.

10. Lord *Sussex*, born in Harley Street, London, 11th July 1802.

11. Lady *Louisa*, born in London, 2d October 1803.

12. Lady *Charlotte*, born in London, 4th December 1804.

13. Lord *Arthur*, born in London, 2d October 1806.

14. Lady *Sophia Georgiana*, born at the Vice-Regal Lodge, in the Phœnix Park, Dublin, 21st July 1809.

TITLES.—Charles Lennox, Duke of Richmond and Lennox, Earl of March and Darnley, Baron of Setterington and Torboltoun.

CREATIONS.—Duke of Richmond, in the county of York; Earl of March (a title derived from the Marches of Wales) and Baron of Setterington, in Yorkshire, 9th August 1675: English honours.—Duke of Lennox, (a district of the county of Dunbarton) Earl of Darnley, in the county of Renfrew, Baron of Torboltoun, in Ayrshire, to the first Duke, and the heirs male legitimately descending from his body, by patent, dated at Windsor, 9th September 1675: Scotish honours.

ARMS.—Quarterly: 1. Quarterly; 1st and 4th, France, azure, three fleurs-de-lis, Or; 2d and 3d, England, gules, three lions passant, Or. 2. Scotland, Or, a lion rampant within a double-tressure, flowered and counterflowered, gules. 3. Ireland, azure, a harp, Or, stringed, argent. 4th, As the first. Over all, in an escutcheon, Aubigny, gules, three oval buckles, Or. The whole within a bordure compone, argent, and gules, the first charged with verdoy of roses of the second, barbed and seeded, proper, for Lennox.

CREST.—On a chapeau, gules, turned up, ermine, a lion passant, guardant, Or, crowned with a ducal coronet, argent, and gorged with a collar, counter-compone, ermine, and azure.

SUPPORTERS.—Dexter, a lion-guardant, Or, crowned with a ducal coronet, azure, and gorged with a collar, counter-compone, ermine, and azure; sinister, a greyhound, argent, collared as the dexter.

MOTTO.—*En la rose je fleurie.*

CHIEF SEAT.—Goodwood, in Sussex.

MELVILLE LESLIE, EARL OF LEVEN AND MELVILLE.

Leven.

THE Earl of Leven and Melville is chief of the antient family of Melville, who, it is said, derive their descent from a person of Anglo-Norman lineage, called Male. This person settled under King David I. on some lands in the county of Edinburgh, which he called Maleville; and from this local appellation, his posterity were distinguished by the sirname of Maleville. Others assign a Hungarian origin to this family, the first of whom, they say, attended Margaret, Queen of Malcolm Canmore, into Scotland, and gave his name of Melville to the lands he acquired in Mid-Lothian; and it is asserted that there are some of the name of Melville still in Hungary, who carry arms similar to those borne by the Earls of Melville.

Caledonia, I. 524.

Leslie, Mackenzie, Martin. D. Crawf. Peer. 324.

I. GALFRID DE MALEVILLE, the first of this family on record, lived under King David I., Malcolm IV., and William the Lion. He was vicecomes de Castella Puellarum, for Malcolm IV., and had the honour of being the first justiciary of proper Scotland on record. He founded the church of Melville, and, in presence of the Bishop of St Andrews, granted it, and the land he had assigned to this church on its dedication, to the monks of Dunfermline, in perpetual alms. This grant was made for the salvation of the souls of David and Malcolm, junior, and of the souls of the granter and his ancestors, and he stipulated that the monks should uphold a perpetual light before the sepulchre of the said kings; in this grant, Malcolm IV. is stiled junior, in contradistinction to Malcolm Canmore, his great-grandfather; and this grant was ratified by Pope Gregory IX. in 1234. This eminent person frequently occurs in the reign of King William the Lion; and had four sons,

Caledonia, I. 524. II. 806.

Ib. II. 306.

1. *Gregory* de Melville, who confirmed his father's grant to the monks of Dunfermline, 1251; and gave to the monks of Newbottle a stone of wax yearly, from his lands of Lethbernard; also a free passage through his lands of Retrevyn, to and from their lands in Clydesdale, in 1264. This grant of passage was confirmed, in 1329, by his grandson, John de Melville, as appears from the chartulary of Newbottle, which contains several other confirmations, showing the succession of the elder branch of this munificent family, till it terminated in a heir-female, Agnes, married to Sir John Ross of Halkhead, to whom she brought the lands of Melville, in the reign of King Robert II.

Leven.

2. *Philip* de Melville, who married *Eva*, the daughter of *Walter, the* son of Sybald, and obtained with her the lands of Monethyn, on the river Bervie, in the county of Kincardine, and was ancestor of the Melvilles of Glenbervie. Philip, his son, was sheriff of Aberdeen, 1222; he was afterwards sheriff of the Mearns; and he rose to be joint justiciary of proper Scotland, with Richard de Montealte, in 1241. This branch ended in the male line, in 1468, when Alexander Melville *of Glenbervie* left a daughter and *sole heir, Elisabeth*, married to Sir *John Auchinleck* of Auchinleck, in *Ayrshire*; and her grand-daughter, Elisabeth Auchinleck, carried the barony of Glenbervie to her husband, Sir William Douglas, second son of Archibald, fifth Earl of Angus; and from them descended the Duke of Hamilton, the late Duke of Douglas, and other noble houses.

Caledonia, I. 524.

3. *Walter*, ancestor of the Earls of Melville.

II. WALTER DE MELVILLE, the third son, is witness to a confirmation of a donation of King William the Lion to the monastery of Dunfermline. He was father of

Chartul. of Dunfermline. D.

III. JOHN DE MELVILLE, who was witness to a charter of the church lands of the village of Turreff by Alexander Cu-

Chartul. of Aberdeen. D.

Leven.

myn, Earl of Buchan, 1260. He died soon thereafter, leaving a son*,

Rymer, II. 471. D.

Rymer, III. 651. D.

IV. Sir JOHN de MELVILLE, one of the principal men of Scotland who agreed to the marriage of Queen Margaret with Prince Edward of England, 1290; and who swore fealty to King Edward I., 1296, being designed Dominus Joannes Melville, miles, del Compte de Fife. He had a charter from King Robert Bruce to him, and Walter, his son and heir, and Margaret, daughter of John Air, wife of the said Walter, of the lands of Capronnestoun in the shire of Peebles, confirmed by King David II., 5th July 1365. His son,

Robertson's Index, 24, 81.

V. WALTER de MELVILLE, married Margaret daughter of John Air, as appears from the charter just quoted. His son,

Nisb. Her. App. II. 28.

VI. JOHN MELVILLE of Raith, about the end of the reign of King Robert III., had a charter of the lands of Pitscottie in Fife, from William Scot of Balweary. His son,

Ibid.

VII. Sir JOHN MELVILLE of Raith, entered into a contract with the Laird of Wemyss, about a water-gang to the Shawsmill, 1420. He was father of

Crawf. Peer. 324.

VIII. Sir JOHN MELVILLE of Raith, who married Margaret, daughter of Sir William Scot of Balweary, by whom he had two sons,

1. *William.*

2. *Alexander* Melville of Finally in Roxburghshire.

Rec. Parl. 500.

IX. WILLIAM MELVILLE of Raith, the eldest son, had a charter, 1474; he married, first, Margaret, daughter of Douglas of Longniddry; secondly, Euphame, daughter of Sir Robert Lundy of Balgony. Euphame Lundy, wife of the deceased William Melville of Raith, occurs in the records of Parliament, 1503. He had three sons,

Leven.

1. *John.*

2. *William.*

3. *Andrew.* These two occur in the records of Parliament, 1493, in a suit with their father against his eldest son John.

Rec. Parl. 380.

Daughter, *Margaret*, married to James Bonar of Rossie.

X. JOHN MELVILLE of Raith, the eldest son, died before his father, betwixt 1423 and 1495; Jonet Bonar, wife of the deceased John Melville of Raith, occurring in the records of Parliament, 1495. He had a son,

Ib. 450.

XI. JOHN MELVILLE of Raith, who succeeded his grandfather, and was knighted by James IV., with whom he fell at the battle of Flodden, 9th September 1513. He married Margaret, daughter of William Bonar of Rossie, by whom he had a son*.

Crawf. Peer. 324.

XII. WILLIAM MELVILLE of Raith, who had two sons,

1. *William*, who had a charter Willielmo Melville, filio et heredi Willielmi Melville de Raith, et Margaretæ Douglas, sororí Roberti Douglas de Lochleven, sponsæ ejus, 1544. He appears to have died without issue.

2. Sir *John* Melville of Raith.

Mag. Sig. L. xxiii. No. 287. L. xxix. No. 43.

XIII. Sir JOHN MELVILLE of Raith, had charters to Sir John Melvile of Raith, knight, and Helen Naper, his wife, of the King's lands of Murdocarney in Fife, 23d May 1536, and 23d October 1542. He had the honour to be particularly known to and favoured by King James V., who appointed him master-general of the ordnance, and captain of the castle of Dunbar, and conferred the order of knighthood upon him. He was among the first of note who embraced and favoured the reformed religion, which made him obnoxious to the Catholic clergy. Archbishop Betoun ac-

* Sir Richard Melville of the county of Fife, who swore fealty to Edward I. 1296, ancestor of the Melvilles of Strathkinness and Craigton, whose descent is detailed in Douglas's Baronage, 527 to 529, was probably another son of John.

* A charter was granted to William Eckline of Pettawdro, and Alison Melvile, his wife, of the lands of Pittadro, 16th May 1542. Mag. Sig. L. xxvii. No. 485.

Leven.

cused him of heresy, but the king quashed the accusation. In the minority of Queen Mary, war breaking out with England on account of the projected match betwixt the Queen and Prince Edward having been given up, all correspondence betwixt the two nations was forbid. Sir John Melville's eldest son, being then in England for his education, his father wrote to him, and the letter being intercepted, Hamilton, Archbishop of St Andrews, got Sir John Melville taken up and sent under a strong guard to Stirling, where an indictment of treason was preferred against him, and he being found guilty, was executed towards the end of 1549. Nor did the malice of the Archbishop rest here; he seized the estate of Sir John, dispossessed his lady and children, and reduced the family to severe penury. But the Almighty ordered matters so, that all the younger children were better provided for than they could have been by their father if he had been alive, as Sir John himself had foretold his lady to comfort her.

He married Helen, eldest daughter of Sir Alexander Napier of Merchistoun, by whom he had issue,

1. *John*, of whom afterwards.

2. *Robert*, first Lord Melville.

3. Sir *James* Melville of Hallhill in Fife, ambassador from Mary to Elisabeth, a privy councillor to King James VI., and gentleman of the chamber to Anne, his Queen; an accomplished statesman and courtier, author of his "Memoirs," who concluded a long and active life 13th November 1617, as appears from the retour of his son, James Melville of Hallhill. James Melville, brother of John Melville of Raith, had a charter of Drumorss in the county of Linlithgow, forfeited by Norman Lesly of Rothes, 22d January 1564-5. James Melvill of Hallhill granted a charter to Christina Boswell, his wife, of the lands of Hallhill, 20th February 1575-6. A charter of the barony of Burntisland was granted to James Melville of Hallhill, 16th January 1638. Sir James Melville of Burntisland, and his wife, had charters of the baronies of Burntisland and Hallhill, 6th March 1646.

Inq. Ret. in Pub. Arch.

Mag. Sig. L. xxii. No. 435. L. xxxiv. No. 367. L. lvi. No. 1. L. lvii. No. 517, 518.

4. *William Melville*, commendator of Tungland and Kilwinning, who was appointed a Lord of Session 14th August 1587, and sat on the bench till 1614; his successor being appointed 2d November that year.

Leven. Hailes's Catal.

5. Sir *Andrew* Melville of Garvock, master of the household to Queen Mary and King James VI.; he married Jean Kennedy, who had been long in England with Mary; she was drowned in a passage boat betwixt Burntisland and Leith, on her way to wait on James, who had sent for her to attend his Queen.

Melville's Memoirs, 328.

6. Captain *David* Melville of Newmill, who had a charter to David Melville, brother of John Melville of Raith, of the mill of Dairsie in Fife, 15th February 1580-1.

Mag. Sig. L. xxxv. No. 658.

1. *Janet*, married to Sir James Kirkaldy of Grange, high-treasurer of Scotland, and was mother of the gallant Sir William Kirkaldy, the zealous partizan of Queen Mary, and of Sir James Kirkaldy, both executed in 1573 for their attachment to her Majesty.

2. *Margaret*, married to Sir James Johnston of Elphinstone.

XIV. Sir ROBERT MELVILLE of Murdocarny, the second son, going abroad, was much noticed at the court of France, where he had an honourable employment under King Henry II. On his return to Scotland, he was sworn a privy-councillor, and sent ambassador to England, 1562. He had charters to Robert Melville, brother of John Melville of Raith, and Catherine Adamson his wife, of part of Murdocarny and Star, 14th February 1563-4; to Robert Melville of Murdocarny, of the hereditary office of keeper of the palace of Linlithgow, 18th February 1566-7; of the lands of Letham in Fife, to him and his son, 1st March 1587; of Portincraig and Southferry in Fife, 18th May 1588; of the barony of Burntisland, Lethame, and Southferrie de Portoncraig, to him and his son, 1st February 1591-2; of Murdocarny and Admismure in Fife, to them, 7th February 1591-2. He was a second time sent ambassador to England in January 1587, to endeavour to prevent the execution of Queen Mary. He discharged that commission with fidelity and zeal, speak-

Crawf. Peer. 325.

Mag. Sig. L. xxxii. No. 373, 587. L. xxxvii. No. 64, 97, 131, 132. L. xxxviii. No. 206. No. 328.

Leven. ing such brave and stout language before the Council of England, that Elisabeth threatened his life, and would have imprisoned him, had not his colleague the Master of Gray's interest with her Majesty prevented it. When Lord Thirlestane, the chancellor, went to Denmark in 1589, on the affair of the King's marriage, Sir Robert Melville was appointed vice-chancellor, also treasurer-depute; and he was Hailes's Catal. constituted an extraordinary lord of session by the stile of Lord Murdocairnie, 11th June 1594. He resigned that office in favour of his son, 1601; and was created a peer, by the title of Lord Melville Sibbald's Fife. D. of Monymaill, 30th April 1616, by patent to him, and the heirs-male of his body; which failing, to the heirs-male of the body of his elder brother, John, &c. His lordship died in 1621, having attained the uncommon age of 94. He married, first, Catherine, daughter of William Adamson of Craigcrook, in the county of Edinburgh; secondly, Lady Mary Leslie, daughter of Andrew, fifth Earl of Rothes; thirdly, Lady Jean Stewart, daughter of Robert, Earl of Orkney, relict of Patrick, first Lord Lindores; and left one son,

XV. ROBERT, second Lord MELVILLE of Monymaill, who had a charter to Robert, son of Sir Robert Melville of Murdocarny, of the barony of Wester Kinghorn, united into the barony and regality of Burntisland. He was knighted, and sworn a privy-councillor; and, on his father's resignation, was appointed an extraordinary lord of session, by the stile of Lord Burntisland, 26th February 1601. He continued in that office till 17th May 1608, and was re-appointed 13th January 1610. He succeeded his father 1621; and obtained, Mag. Sig. L. iii. No. 18. MS. in Bib. Jur. from King Charles I., a charter, dated at Bagshot 10th August 1627, of the barony of Monymaill, and the title, honour, and dignity of Lord of Monymaill, granted to his father, to him, and Joanna Hamilton, Lady Ross, his wife, and the longest liver of them, and the heirs procreated betwixt them; which failing, to the heirs whatever of his body; which failing, to the heirs-male general or of conquest, or either of them, bearing the name and arms of Melville, as it shall please him to designate, at any time during his life, and his assigns whatsoever. When Charles was in Scotland, 1633, and the question respecting the ecclesiastical habits was before parliament, Laing, I. 102. Lord Melville opposed it, exclaiming, I have sworn with your father and the whole kingdom to the Confession of Faith, by which the innovations intended by these articles were solemnly abjured. He died at Edinburgh, 9th March 1635, and was buried at Monymaill on the 15th of April following; he married, first, Margaret, daughter of Sir Thomas Ker of Fernyhirst; secondly, Joanna, daughter of Gavin Hamilton, of Raploch, relict of Robert, fourth Lord Ross, who died 1595. A charter was granted to Robert Melville Mag. Sig. L. xlvii. No. 359. of Burntisland, and Jean Hamilton, Lady Ross, of the barony of Monymaill, 14th August 1613. The title devolved on John Melville of Raith, grandson of his uncle.

XIII. JOHN MELVILLE of Raith, who was *restored* to his father's forfeited estate, Crawf. Peer. 325. by the Queen Regent of Scotland, about 1553, at the special instance of Henry II. of France. He died 13th January 1603, and was buried at Kirkaldy, leaving, by his wife, a daughter of Lundin of Lundin, one son,

XIV. JOHN MELVILLE of Raith, who had a charter to John Melville, son and Mag. Sig. L. xliii. No. 67. heir apparent of John Melville of Raith, of the lands of Abden and Kinghorn Easter, 14th March 1598-9; succeeded his Monteath's Theater of Mortality, II. 167. father, 1603; and dying, 17th January 1696, was buried at Kirkaldy. He married Margaret, daughter of Sir William Scot of Balwearie, by whom he had two sons,

1. *John.*

2. *Thomas* Melville of Murdocairny, who had a charter of the lands of Auchmore, 20th October 1656, ancestor of the Melvilles of Cairnie.

XV. JOHN MELVILLE of Raith, the eldest son, succeeded his father 1626, and his cousin, Robert, Lord Melville, in title and estate, 1635. He had a charter of the Mag. Sig. L. ii. No. 90. barony of Raith, 3d February 1626; was

Leven.

Leven.

served heir of conquest and provision of Robert, Lord Melville, younger of Monymaill, son of Robert, Lord Melville, senior of Monymaill, the immediate younger brother of John Melville of Raith, his grandfather, 11th March 1636, and was third Lord Melville. He died in 1643, having married Anne, eldest daughter and coheiress of Sir George Erskine of Innertiel, a lord of session, brother of the first Earl of Kellie, by whom he had issue,

Inq. Ret. in Pub. Arch.

1. *George*, fourth Lord Melville.

2. Hon. *James* Melville of Cassingray.

Daughter, *Anne*, married to Thomas Boyd of Pinkill.

Ibid.

XVI. George, fourth Lord Melville, the eldest son, born 1636; succeeded his father, 1643; was served heir of him, 3d May 1648; and had a charter of the lands of the lordship and barony of Monymeall, with the title, honour, and dignity of Lord Melville, &c. 18th March 1643. He was brought up in principles of firm attachment to the presbyterian mode of worship; and being wearied with the oppressions during the reign of Charles II., entered into an association, in 1683, for the purchase of a settlement in Carolina. He went up to London for that ostensible purpose, but in reality to consult with Monmouth and his council of six. The detection of the Ryehouse plot, entered into by subordinate conspirators without their knowledge, obliged his lordship to fly to Holland. His estate was forfeited. Among other lands annexed to the crown, by act of the first parliament of King James VII., 1685, were specified the lands, lordship, and barony of Monymail, comprehending the lands, patronages, and baronies mentioned in the infeftments thereof, within the sheriffdom of Fife, and particularly comprehending the lands and baronies of Raith and Balwearie, pertaining to George, Lord Melville. His Lordship accompanied the Duke of Monmouth in his expedition to England, 1685,* and had the good fortune to escape abroad on the discomfiture of that enterprize. He came over to Britain with the Prince of Orange, 1688; his forfeiture was rescinded by the general act rescissory, 1689; and he was created Earl of Melville, Viscount of Kirkaldy, Lord Raith, Monymail, and Balwearie, by patent, dated at Kensington 8th April 1690, with limitation to the heirs-male of his body. The same year his Lordship was appointed sole secretary of state, and constituted high commissioner to the parliament, which sat down at Edinburgh, 25th April 1690. In that parliament were passed two acts, the one rescinding his lordship's forfeiture, and the other dissolving his estate from the crown; but lest these acts should be quarrelled as passed when he was commissioner, and as such, having the only power to ratify and approve them, a new act and ratification to the same effect was passed in June 1693, when the Duke of Hamilton was commissioner. The Earl of Melville was again high commissioner to the parliament which met 3d September 1690, and gave the royal assent to the act abolishing patronage. He was so obnoxious to King James VII., that he and his son, the Earl of Leven, were two of the six persons intended to be excepted out of his act of indemnity. His Lordship resigned the office of secretary of state, 1691, and was then constituted keeper of the privy seal, which he held till 1696, when he had the appointment of president of the council, continuing in that office till the death of King William. On the accession of Queen Anne, he retired to the country; and *died* 20th May 1707, æta. 71. Several of his letters are published in Carstares' State Papers.

Mag. Sig. L. lvii. No. 345.

Laing, II. 125

Leven.

His Lordship married, 18th January 1655, Catherine, daughter of Alexander, Lord Balgony, and by her, who died 2d April 1713, had issue,

1. *Alexander*, Lord Raith, a nobleman of great parts, who had the office of treasurer-depute conferred on him, 1689, and had the management of the public revenue till his death, 27th March 1698. He married Barbara, third daughter of Walter Dundas, younger of Dundas, by Lady Christian Leslie, daughter of Alexander, Earl of Leven, and by her, who died 23d February 1719, had two sons, one born 29th January 1693, and the other, Alexander, 28th May 1695, both of whom died in infancy.

Edin. Reg.

2. *David*, Earl of Leven and Melville.

3. Hon. *James* Melville of Balgarvie,

Leven. who had three children, George Melville of Balgarvie; David, died 12th December 1782; and Barbara, married to the Rev. Mr Stodart, and was mother of James Stodart, Esq. commissioner of excise.

Daughter, Lady *Margaret*, married to Robert, fourth Lord Balfour of Burleigh, and had issue.

Catherine, Countess of Melville, derived her descent from Sir Andrew Leslie of Rothes;—see title Earl of Rothes. His fourth son, George Leslie of Balquhain, married a Keith of Inverugie; his son, Hamlin Leslie of Balquhain, married a Maxwell of Nithsdale; his son, Andrew Leslie of Balquhain, married a Mortimer of Craigievar; his son, William Leslie of Balquhain, married an Irvine of Drum, and had two sons, Alexander, who carried on the line of the Balquhain family; and George, of New Leslie, from whom the Earl of Leven descends. George Leslie of New Leslie, married a daughter of Ramsay of Dalhousie; his son, Alexander Leslie of Kininvie, married Marion Calder, and had two sons, Alexander, ancestor of the Leslies of Kininvie, and George of Drummuir. George Leslie of Drummuir, the second son, by Mary, daughter of Stewart of Kilcowie, was father of Captain George Leslie of Balgonie, commander of the castle of Blair, who, by Anne, his wife, daughter of Stewart of Ballechin, was father of

I. Alexander Leslie, who, betaking himself early to the profession of arms, was a captain in Horatio Lord Vere's regiment in Holland, assisting the Dutch against the Spaniards, and attained the reputation of a very good officer. He then went into the service of Gustavus Adolphus, King of Sweden, by whom he was promoted to be lieutenant-general, and then field-marshal of his armies, with general approbation. In 1628, when the Emperor had reduced all Germany, except Stralsund, which was besieged by the imperialists, General Leslie was sent to take the command of that important place. He acquitted himself with so much conduct and gallantry, that though the plague had broke out in the city, the outworks in a bad condition, and Count Walstein, the imperial general, before it with a formidable and victorious army, he obliged him to raise the siege with considerable loss. The citizens were so sensible of the great services of Leslie, that they made him a considerable present, and struck several medals in his honour. In 1630, General Leslie drove the imperialists out of the isle of Rugen, and continued in the Swedish service after the death of Gustavus, under Queen Christina, with great glory and renown, till 1639, when he was invited to Scotland by the covenanters, to take the command of their army. A general attack was concerted to reduce every fortified place by surprize. Leslie, with 1000 select musqueteers, appeared unexpectedly before the *castle of Edinburgh*, applied a petard to the outward gate, the inner gate was scaled, and that strong fortification was taken by assault, without the loss of a man. He commanded the Scotish army at Dunse Law, in May 1639, where their camp was a spectacle not less interesting to the military, than edifying to the devout. Their colours were inscribed with the crown and covenant of Christ, the soldiers were summoned by drums to sermon, and their tents resounded at dawn and sunset with psalms and prayers. The clergy were instrumental in preserving discipline; and the dangerous emulation of the nobility was repressed by the discretion of their general, an unlettered soldier of fortune, of an advanced age, a diminutive size, and a distorted person, but prudent, vigilant, enterprizing, and expert in war. The pacification of Berwick, in June 1639, occasioned the disbanding of the English and Scotish armies, without proceeding to hostilities.

Crawf. Peer. 264.

Laing, I. 152.

This pacification was of short duration, the Scots raised a fresh army, 1640, of which General Leslie was appointed commander-in-chief. He marched into England in August 1640, attacked the royal army, and completely routed them, at Newburn, on the 28th of that month, and obtained possession of Newcastle, Tinmouth, Shields, and Durham, with large magazines of provisions and arms. A cessation of hostilities was agreed to, and peace restored by the treaty of Ripon, afterwards transferred to London. The articles were ratified by parliament, 1641, and General Leslie was first created Lord Balgony; and,

Leven.

Leven. 11th October 1641, raised to the dignity of Earl of Leven, by patent, to him and his heirs whatsoever.

The Earl of Leven was, in 1642, appointed general of the Scotish forces raised for suppressing the rebellion in Ireland, and went over to that kingdom, from whence he was called, by parliament, 1643, to command the Scotish army destined for England. That army, extending to 21,000 men, assembled at Berwick, and crossed the Tweed, in January 1644; joined the parliamentary forces, and defeated the royalists at Marston Moor, 2d July 1644. When an army was raised for the rescue of King Charles I. 1648, the command was offered to the Earl of Leven, which he declined; and he sat in the parliament, in January 1649, when a severe act was passed against all concerned therein. He served as a volunteer at the battle of Dunbar, 1650; and when forces were raising to accompany King Charles II. into England, the Earl of Leven had a meeting with several noblemen, and a committee of estates, at Eliot, in Angus, to concert measures for that purpose; but they were there surprised and taken by a detachment from the garrison at Dundee, 28th August 1651, and carried to the Tower of London. At the intercession of Christina, Queen of Sweden, the Earl of Leven was released from captivity, his sequestration taken off, and no fine imposed on him. He came down to Scotland, in May 1654; and went over to Sweden to return his thanks to Christina for the favour done him. Returning to Scotland, he died at Balgony, on the 4th of April 1661; and was buried at Markinch church on the 19th of that month. He acquired great landed property, particularly Inchmartin, in the Carse of Gowrie, which he purchased from the Ogilvies, in 1650, and called it Inchleslie.

Lamont's Annals, MS.

Mag. Sig. L. lvi. No. 83. L. lvii. No. 2, 288. L. lviii. No. 273.

Charters were granted to Sir Alexander Leslie of Balgony, major-general in Lower Saxony, his wife and son, of the barony of Balgony and other lands, in the counties of Berwick, Fife, and Roxburgh, 6th July 1635; to Alexander, Earl of Leven, and Alexander, Lord Balgony, his son, of the lands of Eastnisbet, &c. and barony of Balgony, united into the lordship of Balgony, 18th November 1641; to Alexander, Earl of Leven, his son and grandson, of the same lordship, 31st July 1643; and to Alexander, Earl of Leven, and his wife, of the barony of Inchleslie, 3d June 1650.

Leven.

His Lordship married, first, Agnes, daughter of Renton of Billy, in Berwickshire; and by her, who died 26th June 1651, at Inchmartin, and was buried at Markinch, 23d July, had issue,

1. *Gustavus*, who died before his father, without issue.

2. *Alexander*, Lord Balgony.

1. Lady *Anne*, married, first, to Hugh, Master of Lovat, who died 1643; secondly, to Sir Ralph Delaval of Seaton Delaval, in Northumberland, baronet, and had issue to both.

2. Lady *Margaret*, married to James, Viscount of Frendraught, and had one daughter.

3. Lady *Mary*, married to William, third Lord Cranstoun, and had issue.

4. Lady *Barbara*, married to Sir John Ruthven of Dunglass.

5. Lady *Christian*, married to Walter Dundas, younger of Dundas, and had issue.

Alexander, first Earl of Leven, married, secondly, Frances, daughter of Sir John Ferrers of Tamworth, in Staffordshire, relict of Sir John Packington of Westwood, in the county of Worcester, baronet.

Collins's Baronetage.

II. ALEXANDER*, Lord BALGONY, the second son, betook himself to the military line, and rose to the rank of colonel; accompanied his father to Ireland, 1642, and died soon after his return from thence. He married Lady Margaret Leslie, only daughter of John, sixth Earl of Rothes, and sister of John, Duke of Rothes, chancellor of Scotland; and by her, who married, secondly, Francis, second Earl of Buccleuch; thirdly, David, second Earl of Wemyss, and had issue to all three; had a son,

Alexander, second Earl of Leven;—and a daughter,

Catherine, married to *George*, Earl of Melville.

III. ALEXANDER, second Earl of LE-

* His name was not *James*, as in the first edition, but Alexander, as marked on his picture, painted by Jameson, 1643.

VEN, the only son, succeeded his grandfather, 1661. By bond of tailzie, dated 12th February 1663, his Lordship obliged himself to make a resignation of his estates and honours in favour of himself and the heirs male of his body; which failing, to the eldest heir female to be procreated of his body, or of the heirs male; which failing, to the second son of John, Earl of Rothes, and his heirs male; which failing, to the second son procreated or to be procreated betwixt the Lord Melville and Catherine Leslie, his spouse, and the heirs male of the said second son's body; which failing, to the second son procreated or to be procreated betwixt the Earl of Wemyss and Dame Margaret Leslie his wife. His Lordship died at Balgonie, 15th July 1664, and was buried at Markinch, 3d August following.

Morison's Decisions, 14380.

Lamont's Annals, MS.

His Lordship married, 30th December 1656, Margaret, fifth daughter of Sir William Howard, sister of Charles, Earl of Carlisle; and by her, who died at Edinburgh, 30th September 1664, and was buried at Markinch, had two daughters,

1. *Margaret*, Countess of Leven.
2. *Catherine*, Countess of Leven.

IV. MARGARET, Countess of LEVEN, the eldest daughter, succeeded her father in title and estate, 1664; had a charter of the earldom and lordship of Leven, 7th September 1665; and married, in 1674, the Hon. Francis Montgomery of Giffen, second son of Hugh, seventh Earl of Eglinton; but died the same year, in minority, without issue. Her sister,

Mag. Sig. L. lxi. No. 23.

IV. CATHERINE, Countess of LEVEN, died unmarried; her aunt, Catherine, Countess of Melville, was served heir of her, 13th January 1706. Her title devolved on David, second son of George, Earl of Melville, who, accordingly, became third Earl of Leven.

XVII. DAVID, third Earl of LEVEN, and second Earl of MELVILLE, born 1660; went into the service of the Duke of Brandenburgh, 1685; was first a captain of horse, then colonel of a regiment of foot, which he brought over to England with the Prince of Orange, 1688. When King William and Queen Mary were seated on the throne, he was sworn a privy-councillor; appointed colonel of the 25th regiment of foot, 19th March 1689; and constituted governor of the castle of Edinburgh, 4th July 1689. He fought at the head of his regiment at the battle of Killicrankie, 17th July 1689, where he greatly signalized himself; and, in 1692, carried it over to Flanders, serving the campaign there. He succeeded to the earldom of Leven, on the death of his cousin, Catherine, Countess of Leven, and sat in parliament as such, taking precedency of his father *. He was removed from the government of Edinburgh Castle, in December 1702; was constituted major-general of the forces in Scotland, in January 1703; re-appointed governor of Edinburgh Castle, October 1704; soon afterwards general of the ordnance; and, 2d March 1706, lieutenant-general and commander-in-chief of the forces in Scotland. His Lordship was a commissioner for the union, supported that treaty in parliament, was chosen one of the sixteen representatives of the Scotish peerage, by parliament, 13th February 1707; and rechosen, at the general election, 1708. He succeeded his father, as Earl of Melville, 1707; was dismissed from all his offices by the Tory administration, 1712; and died, in May 1728, in his 68th year.

His Lordship married, in 1691, Lady Anne Wemyss, eldest daughter of Margaret, Countess of Wemyss, sister of David, third Earl of Wemyss, by whom he had issue,

1. *George*, Lord Balgony and Raith.
2. *Alexander*, fifth Earl of Leven and Melville.

Daughter, Lady *Mary*, married to William, second Earl of Aberdeen, and had one daughter, Anne, Countess of Dumfries.

XVIII. GEORGE, Lord BALGONY and RAITH, the eldest son, died in August 1721, before his father. He married, in August 1716, his cousin-german, Lady

Inq. Ret. in Pub. Arch.

* The date of his succession is not exactly known. A charter was granted, 13th February 1695, to David, Earl of Leven, of the lands of Tyrie, in Forfarshire. Mag. Sig. L. lxxiii. No. 165. In Carstares' State Papers are some letters from his Lordship.

Leven. Margaret Carnegie, born 6th December 1697, eldest daughter of David, fourth Earl of Northesk, by Lady Margaret Wemyss, second daughter of Margaret, Countess of Wemyss, and by her had a son,

David, fourth Earl of Leven and Melville;—and a daughter,

Markinch Register. *Anna*, born 7th April 1721; died unmarried.

XIX. DAVID, fourth Earl of LEVEN, and third Earl of MELVILLE, the only son, Ibid. born 17th December 1717; succeeded his grandfather, 1728; and died, unmarried, in June 1729, in his 12th year, when the honours devolved on his uncle,

XVIII. ALEXANDER, fifth Earl of LEVEN, and fourth Earl of MELVILLE, who, applying to the study of the law, was admitted a member of the Faculty of Advocates, 1719; succeeded as Earl of Leven and Melville, 1729; was appointed one of the lords of session, 11th July 1734; represented his Majesty, as high-commissioner to the general assembly of the church of Scotland, from 1741 to 1753, both inclusive; was chosen one of the sixteen representatives of the Scotish peerage, at the general election, 1747; appointed one of the lords of police, April 1754; and died while on a visit at Balcarres, 2d September 1754.

His Lordship married, first, in 1721, Mary, eldest daughter of the Hon. Colonel John Erskine of Carnock, son of David, Lord Cardross, by whom he had a son,

David, sixth Earl of Leven and Melville.

He married, secondly, 21st March 1726, Elisabeth, daughter of David Monypenny of Pitmilly in Fife, and by her, who died at Edinburgh, 15th March 1783, in her 84th year, had issue,

1. Lady *Anne*, born 27th February 1730, married at Melville House, 30th April 1748, to George, second Earl of Northesk, and had issue, and died at Edinburgh, 8th November 1779, æta. 50.

2. Hon. *Alexander* Leslie, born 1731, who, chusing the military profession, had an ensign's commission in the third regiment of foot-guards, 1753; a company in the 64th regiment of foot, 1756; the majority of the 56th foot, 1759; and the lieutenant-colonelcy of the same, 1766. He was constituted aide-de-camp to the King, with the rank of colonel in the army, 19th October 1775; major-general, 1779; had the command of the 63d foot, 1782; and the 9th foot, 1788; and ranked as lieutenant-general in the army from 1787. During the American war he served on that continent; sailed from New York, 16th October 1780, and a few days afterwards landed in Virginia. Finding himself at too great a distance from Lord Cornwallis, he embarked again in the end of November; landed at Charlestoun 13th December; and marched from thence 19th December, with 1500 men, to join his lordship on the frontiers of North Carolina. At the battle of Guildford, 15th March 1781, he was second in command under Lord Cornwallis, who, in his dispatches, mentioned Major-General Leslie's conduct in the highest terms. He was for several years second in command of the forces in Scotland, and died in that station, at his seat of Beechwood, near Edinburgh, 27th December 1794, in his 64th year. He married, 23d December 1760, the second daughter of Walter Tullideph of Tullideph in Forfarshire, and by her, who died 14th December 1761, had an only child, Mary Anne, born 8th October 1761, married 15th June 1787, to John Rutherford of Edgerstoun, in Roxburghshire, M. P. for that county, without issue.

3. Lady *Elisabeth*, born 1737, married 10th June 1767, to John, second Earl of Hopetoun, and had issue, and died 10th April 1788, æta. 51.

4. Lady *Mary*, married, at Edinburgh, 5th January 1762, to James Walker of Innerdovat, in Fife, and had issue.

XIX. DAVID, sixth Earl of LEVEN, and fifth Earl of MELVILLE, born 4th March 1722; had a company in the 16th regiment of foot, 1744; succeeded his father, 1754; was one of the lords of police from 1773 to the abolition of that board, 1782; and represented his Majesty, as high-commissioner to the general assembly of the church of Scotland, from 1783 to 1801, both inclusive. His Lordship came

to Edinburgh, in May 1802, to attend Lord Napier, the new commissioner, celebrated the King's birth-day in the parliament house, 4th June; and died at Edinburgh, on the 9th of June 1802, in the 81st year of his age, honoured and lamented.

His Lordship married, at Edinburgh, 29th July 1747, Willielmina, posthumous daughter, and nineteenth child, of William Nisbet of Dirleton, in the county of Haddington, who died October 1724. From early life she was distinguished by the comeliness of her person, and the amiable qualities of her mind; her understanding was acute; her wit lively and pleasant; her heart affectionate and liberal. She had a habitual and fervent piety, and a regular and constant regard to divine institutions and the offices of devotion. Uninterrupted conjugal affection and felicity, sweetened and heightened by the exercise of parental duties, crowned the union of the Earl and Countess. The fiftieth anniversary of their marriage was celebrated at Melville House, 29th January 1797; and she died there on the 10th of May 1798, æta. 74. Their issue were,

1. *Alexander*, seventh Earl of Leven and Melville.

2. Hon. *William* Leslie, captain of a company in the 17th regiment of foot; killed in an engagement with the Americans, at Princeton, in the Jerseys, 3d January 1777, serving under Lord Cornwallis, and his uncle, General Leslie.

3. Lady *Jane*, married, at Melville House, 9th November 1775, to Sir John Wisheart Belsches Stuart, baronet, of Fettercairn, in the shire of Kincardine, M. P. for that county from 1797 to 1806; appointed baron of exchequer, 1807; and had one daughter, Willielmina, married, at Edinburgh, 19th January 1797, to Sir William Forbes of Pitsligo, baronet, and had issue; and died at Lympstone, in Devonshire, 5th December 1810.

4. Hon. *David* Leslie, who had a company in the 16th regiment of foot; was aide-de-camp to his uncle, General Leslie, when commanding in Scotland; afterwards lieutenant-colonel of the Tay fencible regiment, with which he was actively employed in quelling the rebellion in Ireland, 1798. He had the rank of colonel in the army, 1st January 1801; of major-general, 7th May 1808; is lieutenant-colonel of the 48th regiment of foot, and a major-general on the North British Staff. He married, at Glasgow, 16th January 1787, Rebecca, daughter of John Gillies, D. D. one of the ministers of Glasgow, by Joanna, twin-sister of Sir Michael Stewart of Blackhall, baronet.

5. Lady *Mary Elisabeth*, married, 8th November 1776, to her cousin-german, James, fourth Lord Ruthven, and has issue.

6. Hon. *John* Leslie, born 20th November 1759; went into the first regiment of foot-guards, of which he had the commission of ensign, 22d July 1778, and has ever since remained in that corps, of which he was appointed first major, 6th April 1804. He had the rank of major-general, 29th April 1802; lieutenant-general, 7th May 1808; served with distinction on the continent against the French, and was wounded in an engagement with them in Holland, 1794.

7. Lady *Charlotte*, born 22d September 1761.

8. Hon. *George* Melville Leslie, placed on the civil establishment in Ceylon, 1802.

XIX. ALEXANDER, seventh Earl of LEVEN, and sixth Earl of MELVILLE, born 7th November 1749; was appointed comptroller of the customs in Scotland, 1786; and chosen one of the sixteen representatives of the Scotish peerage, at the general election, 1806. His Lordship married, 11th August 1784, Jane, daughter of John Thornton of Clapham, in Surry, an eminently liberal and benevolent merchant in London, sister of Samuel, Robert, and Henry Thorntons, all three Members of Parliament, and has issue by her,

1. *David*, Lord Balgony, born 18th December 1786, a captain in the royal navy, particularly mentioned by Lord Collingwood, in his letter of the 1st November 1809, as having the command of a boat in the attack on the French convoy in the Bay of Rosas, the preceding day, in which he displayed the spirit inherent in him.

2. Hon. *John Thornton* Melville Leslie.

Leven.

3. Hon. *William Henry* Melville Leslie, placed on the Bengal civil establishment, 1805.
4. Hon. *Robert Samuel* Melville Leslie.
5. Lady *Lucy*.
6. Lady *Jane*.
7. Lady *Mary Anne*.
8. Hon. *Alexander* Melville Leslie.

TITLES.—Alexander Melville Leslie, Earl of Leven and Melville, Viscount of Kirkaldy, Lord Balgony, Melville of Monymail, Raith, and Balwearie.

CREATIONS.—Lord Melville of Monymail, 30th April 1616, to the first Lord, and the heirs male of his body; which failing, to his brother, John, and the heirs male of his body. New patent, to the second Lord, and the heirs whatever of his body; which failing, to his heirs-male general, or of conquest, as he may think proper to designate, or his assigns, 10th August 1627. Lord Balgony, 1641. Earl of Leven, 11th October 1641, to the first Earl, and his heirs whatsoever. Resigned into the hands of King Charles II. 1663, in favour of a series of heirs already mentioned; Earl of Melville, Viscount of Kirkaldy, Lord Raith, Monymail, and Balwearie, 8th April 1690, to the first Earl, and the heirs male of his body.

Leven.

ARMS of Melville, Earl of MELVILLE.—Quarterly: 1st and 4th, A fess, gules; 2d, and 3d, Gules, three crescents within a border, argent, charged with eight roses of the first. CREST.—The head of a ratch-hound erased, sable. SUPPORTERS.—Dexter a ratch-hound; sinister, an eagle, proper. MOTTO.—*Denique cœlum.*

ARMS of Leslie, Earl of LEVEN.—Quarterly: 1st and 4th, Azure, a thistle, proper, ensigned with an imperial crown, Or, as a coat of concession; 2d and 3d, Argent, on a bend, azure, three buckles, Or, for Leslie. CREST.—A chevalier, in complete armour, holding in his right hand a dagger, erect, proper, the pommel and hilt, Or. SUPPORTERS.—Two chevaliers, in armour, each holding in his exterior hand the banner of Scotland. MOTTO.—*Pro rege et patria.*

CHIEF SEATS.—Melville House, and Balgony Castle, in Fife.

LESLIE, LORD LINDORES.

Lindores.

ANDREW, fifth Earl of Rothes, by his first wife, Jean, daughter of Sir John Hamilton of Evandale, had three sons,

1. *James*, Master of Rothes, who carried on the line of the family.
2. Hon. Sir *Patrick* Leslie of Pitcairly.
3. Hon. *Andrew* Leslie of Lumbenny, who died without issue.

By his second wife, Jean, daughter of Patrick, Lord Ruthven, he had no male issue. By his third wife, Janet, daughter of David Durie of Durie, he had three sons,

1. Hon. *George* Leslie of Newton, who *died, unmarried, in* January 1614.
2. Hon. Sir *John* Leslie of Newton.
3. Hon. *Robert* Leslie, died without issue.

Lindores.

I. Hon. Sir PATRICK LESLIE of Pitcairly, the second son of Andrew, fifth Earl of Rothes, was high in favour with King James VI., who conferred on him the honour of knighthood, and appointed him one of the gentlemen of his bedchamber. He was commendator of Lindores; and had charters to Patrick, commendator of Lindores, of a third of the lands of Duffous, in the county of Elgin, and of the house of Pittendriech, within the

Mag. Sig. L. xxxv. No. 580, 583. L. xxxvii. No. 447. L. xxxviii. No. 90, 91.

Lindores.

town of Elgin, 16th December 1581; of the ecclesiastical lands of Lawthirsk, in Fife, 24th September 1590; of Pockmill in Perthshire, and of Wedraiff, in Fife, in December 1592. According to the first edition, he was created a lord of Parliament by the title of Lord Lindores, to him and his heirs male whatever, 25th December 1600. In the discussion in the House of Lords 1793, respecting the votes given by Lord Lindores at the general election 1790, it was contended on the one side, that Patrick the commendator was Lord Lindores, and on the other, that it was the commendator's eldest son, Patrick, who was first Lord Lindores. The following productions were founded on:

Mag. Sig. L. xlix. No. 233.

Charter of the lands of Newtoun, by Andrew, fourth Earl of Rothes, dated 16th June 1596, confirmed 31st March 1620, to his sons of the third marriage, and the heirs male of their bodies, which failing, to his son, quondam Patricio tunc commendatario, ac postea Duo de Lindoris, and the heirs-male of his body, which failing, to the nearest legitimate heirs male dicti quondam Patricii Domini de Lindoris. Charter to Janet Durie, Countess of Rothes, in liferent, and to her sons in fee, and the heirs male of their bodies; which failing, Patricio Leslie, Duo de Lindores, etiam filio legitimo dicti Comitis, hæredibus et assignatis ipsius Patricii, 26th December 1601.

L. xiii. No. 117.

L. xiv. No. 441.

Charter to her in liferent, and in fee to her sons, and the heirs male of their bodies, which failing, Patricio Leslie, Domino de Lindores, etiam dicti Comitis legitimo filio, and his heirs male and assigns whatsoever, 17th April 1612.

L. xlii. No. 189.

Charter dated 31st March 1600, pro bono fideli et gratuito servitio per nostrum domesticum servitorem Patricium commendatarium de Lundores, et perfidelissimum et prædilectum nostrum consanguineum et consiliarium Andream de Rothes Comitem, Dominum Leslie, &c. eorumque familias et amicos, nobis nostrisque prædecessoribus impenso, dedisse, &c. dilecto nostro Patricio Leslie filio dicti Patricii, hæredibusque suis masculis quibuscunque, eorumque assignatis hereditarie, totum et integrum manerium de Lundores, &c. Insuper nos memoratis causis et certa scientia et proprio motu ereximus, &c. præfatum manerium seu manerii locum de Lundores, domos, &c. in unum integrum et liberum temporale dominium et baroniam, præfato Patricio Leslie, hæredibus suis masculis et assignatis prædictis, nunc nuncupandum et in futurum nuncupaturum dominium et baroniam de Lundores, dan. et conceden. dicto Patricio Leslie suisque præscriptis, titulum honorem ordinem et statum liberi baronis et domini nostri parliamenti, vocandi et intitulandi Dominos de Lindores in perpetuum, ratione terrarum et dominii suprascript., votum et suffragium in omnibus nostris parliamentis, generalibus conciliis, conventionibus et congregationibus habend. simili modo ut ullus alius dominus parliamenti nostri habebat, habet, seu habere potuisset vel postea poterit, et quod dictus Dominus cum signo et armis ut requiritur honoretur.

Lindores.

Parliamentary ratification, 15th November 1600, entitled ratification in favouris of Patrick Leslie: Our soverane Lord and estaites of this present parliament, ratifeis, appreves, and confermes the infeftment of few ferme granted be his Majestie to Patrick Leslie of Pitcairlie, his airis maill and assignais, of the lands and lordschip of Lundoirs, in all and sindrie heidis, clauses, articles, and conditionis thairof, all as conteint in the said chartour, and declairis and ordainis the said infeftment to stand, and to be an effectual richt and securitie to the said Patrick and his foirsaids, in all tyme cumming, anent all things conteint yairintill.

Minutes of the Committee of Privileges, 1793.

Act of erection of the abbacy of Lindores, in ane temporal lordship, in favours of Lord Lindores, 9th July 1600. Oure soverane lord and estaites of this put parliament conveint and haldin within his Mateis realme of Scotland, and ye saidis estaittis at his Mateis desyre, understandiug perfytlie, and having sufficient tryell, and considerit in the said parliament, the money gude, trew, thankfull, and profitable services, mony wayes done to his Matie be Patrick, now Lord of Lundoris, sumtyme commendatar of the abbacie yairof, &c. Qlkis be vertue of oure said sovrane Lordis anterior charter and infeftment, maid and grantit be his Matie thereupon of befoir under his great seall of Scotland, dated at Perth, 31st March 1600, to Patrick, now Maister of Lundoris, then stylit and designit yairintill

Ibid.

Lindores. Patrick Leslie, sone lawl to the said Patrick Lord Lundoris, his airs maill whatsumevir, and their assignais, &c. It may and sall be leisum to oure said sourane lord, be vertue of his new charter and infeftment, to be maid and past under the great seall of Scotland, to annallie, gif, grant, dispone, and conferme to the said Patrick Leslie, now callit Patrick, Master of Lundoris, his airs maill and assegnays forsaidis heretablie, all and haill, &c.

Patrick, commendator and Lord of Lindores, married Lady Jean Stewart, second daughter of Robert, Earl of Orkney, and by her who married, secondly, Robert, Lord Melville of Monymail, had issue,

1. *Patrick*, second Lord Lindores.

2. *James*, third Lord Lindores.

3. Hon. *Robert* Leslie, who had a nineteen years lease of the bishoprick of Orkney 1641. He married and had issue, but his male line is extinct. Minutes of Parliament. D.

4. Hon. Colonel *Ludovick* Leslie, who served in the German wars under Gustavus Adolphus, and was governor of Berwick, 1648. He died without issue.

5. *David* Lord Newark; see that title.

1. Hon. *Helen* Leslie, married, contract dated 30th April 1622, to John, second Lord Maderty.

2. Hon. *Elisabeth* Leslie, married to Sir James Sinclair of Mey.

3. Hon. *Jean* Leslie, married, first, to George Leslie of Leslie; secondly, to George Forbes of Leslie. [qu?]

4. Hon. *Janet* Leslie, married to Sir John Cunningham of Broomhill.

5. Hon. *Mary* Leslie, married to Sir David Barclay of Cullairnie.

II. PATRICK, Lord LINDORES, the eldest son, was created Lord Lindores, 31st March 1600, but his father taking the title, was designed Master of Lindores. Patrick, Lord Lindores, was served heir male of his uncle, the Hon. Sir Andrew Leslie of Lumbenny, 9th April 1609, and dying without issue, in August 1649, was succeeded by his brother, Inq. Ret. vii, 255. Lamont's Annals, MS.

II. JAMES, third Lord LINDORES, who married first Mary, third daughter of Patrick, seventh Lord Gray, by whom he had a son,

John, fourth Lord Lindores: Lindores.
secondly, Miss Clepburn of Yorkshire, by whom he had a daughter,

Hon. *Jane* Leslie, married first to John Stewart of Innernytie; secondly, to John Bruce of Blairhall. Dame Jane Leslie, daughter of James, Lord Lindores, and aunt of the late David, Lord Lindores, and next of kin, and heir of line to him, executed a disposition of the estate of Lindores, &c. in favour of Alexander, Lord Lindores, 8th June 1736. Minutes of the Committee of Privileges, 1793.

III. JOHN, fourth Lord LINDORES, succeeded his father before 20th July 1667, the date of a decreet of apprising, whereby the lords of session ordered infeftment to be granted to John Bayne of Pitkerlie, of all the lands which pertained to the deceased James, Lord Lindores, father to the within designed John, Lord Lindores, to the deceased Patrick, Lord Lindores, his uncle, and to the deceased Patrick, Lord Lindores, his guidsire, and are apprysit from the said John, Lord Lindores, as lawfully charged to enter air in special to his said uncle, father, and guidsire. On his resignation, a charter of the lands of Lindores, was granted 1st August 1694, to him in liferent, and in fee to David, Master of Lindores, his only legitimate son, and his heirs and assignees whatsoever. His lordship died in 1706, having married, first, Lady Marion Ogilvy, eldest daughter of James, second Earl of Airly, relict of James, Lord Coupar, by whom he had a son, Ibid. Mag. Sig. L. lxxiii. No. 136.

David, fifth Lord Lindores; Cramond Reg.
secondly, 6th September 1695, Jean Gibson, relict of Sir Hugh Macculloch of Piltoun, in the county of Edinburgh, knight, without issue by her who died in 1712.

IV. DAVID, fifth Lord LINDORES, the only son, married Margaret, daughter of Archibald Stuart of Duncarn, relict of Sir Archibald Stewart of Burray. He died without issue in July 1719, and she died in October following. His Lordship, on the 18th of December 1718, executed a disposition, bearing, that being desireous to settle what remains of his estate of Lindores in the best manner, for the preservation of the memory of the family, and considering that the deceased David, Minutes of the Committee of Privileges, 1793.

Lindores. Lord Newark, grandfather of the present Dame Jane Leslie, Lady Newark, was a son of the deceased Patrick, Lord Lindores; he therefore settled the same on her; and she was, on the 20th of August 1730, served heir of provision of David, Lord Lindores, who died without issue. She, with consent of Sir Alexander Anstruther her husband, executed, in April 1738, a disposition of the lands, lordship, and estate of Lindores, as contained in the deed of settlement of David, Lord Lindores, to her, *in favour* of Alexander, Lord Lindores. The title devolved on the heir male, descended from,

I. The Hon. Sir JOHN LESLIE of Newton, fifth son of Andrew, fourth Earl of Rothes. The estate of Newton was, in 1596, settled by the Earl on his brother George, and the heirs male of his body; which failing, on him and the heirs male of his body; and he accordingly succeeded thereto in January 1614, on the death of his brother George, of whom he was served heir 5th July 1620. He had charters of the barony of Newton, &c. 31st March 1620; of the teind sheaves of Newton, 18th January 1634; and of the lands of Lochmylne, in Fife, 7th August 1643. He was appointed a lord of session by act of parliament 13th November 1641; and one of the commissioners of the exchequer 1645; but having accepted the commission of lieutenant-colonel of the King's horseguards, and been concerned in the engagement for the rescue of Charles I. 1648, he was deprived of his offices by the act of classes, 1649. He was killed with one of his sons at the storming of Dundee by Monk, 1st September 1651. By his wife Elisabeth, fourth daughter of Patrick, seventh Lord Gray, he had issue,

Inq. Ret. vii. 264.

Mag. Sig. L. iii. No. 233. L. iv. No. 227. L. lvii. No. 292.

Lamont's Annals, MS.

1. Sir *John* Leslie of Newton, who married 25th April 1650, Isobel, daughter of George Hay of Naughton. He is documented by a seisin, 3d November 1655, when there personally compeared Sir John Leslie of Newtoune, knight, &c. having in their hands a charter to the said Sir John Leslie and Dame Isobell Hay his spouse, eldest daughter of George Hay of Nauchtone, in conjunct fee, and the longest liver of the two, and the heirs male lawfully procreate, or to be procreate betwixt them; which failing, to the said Sir John and the heirs male lawfully to be procreate of his body; which failing, to Andrew Leslie his brother-german, James Leslie his brother-german, and Alexander Leslie, likewise his brother-german, and the heirs male of their bodies respectively, with other remainders. Sir John Leslie of Newton had a charter, dated 13th June 1676, to himself in liferent, and in fee to John Leslie his son, and the heirs of his body; which failing, to his daughters, and the heirs of their bodies. John the son died without issue before 21st September 1698, and was succeeded in estate by Anna and Janet Dicks, daughters of William Dick of Grange, by his sister Elisabeth Leslie.

Ibid.

Lindores. Minutes of the Committee of Privileges, 1793.

2. *Andrew* Leslie of Quarter.
3. *James* Leslie of Lumquhat.
4. *Alexander*.

II. ANDREW LESLIE, second son of Lord Newton, is documented by a seisin, 24th December 1661, wherein he is designed legitimate son of the deceased Sir John Leslie of Newton, knight, one of the senators of the college of justice. He was a major in the army, acquired the lands of Quarter in the parish of Burntisland, and died in 1669, leaving by his wife Margaret, daughter of Andrew Balfour of Grange, a son,

Ibid.

III. JOHN LESLIE of Quarter, who was served heir of his father, 30th November 1679, and died 29th July 1706. He married a daughter of Spittal of Leuchat, by whom he had two daughters, the eldest married to Spittal of Leuchat, and Jean, unmarried; and a son,

Ibid.

IV. ALEXANDER LESLIE of Quarter, who was served heir of his father 16th August 1717, and succeeded as sixth Lord Lindores in 1719. He was an officer in the third regiment of foot-guards, in which he had the commission of lieutenant 1734; captain of a company 1745; was appointed colonel of the 77th regiment of foot, 7th April 1758; had the rank of major-general in the army, 24th February 1761; was appointed colonel of the 41st regiment of foot, 16th May 1764; and

Ibid.

Linlithgow. Menteth of Carse, by whom he had three sons,

1. Sir *Alexander*.

2. *Robert*, ancestor of the Livingstons of Westquarter and Kinnaird, the Earl of Newburgh, &c.

3. *John*, ancestor of the Livingstons of Bonton, &c.

He married, secondly, Agnes, daughter of Sir James Douglas of Dalkeith, by whom he had a son,

William, ancestor of the Viscounts of Kilsyth; see that title.

Fordun, II. 484. X. Sir ALEXANDER LIVINGSTON of Calendar, the eldest son, was one of the jury on the trial of Murdac, Duke of Albany, 1424. On the death of King James I. Pinkerton, I. 190, 191. 1437, he was constituted keeper of the person of King James II.; but Crichton, the chancellor, retaining his Majesty in the castle of Edinburgh, the Queen Dowager, favouring the just claim of Livingston, by a stratagem obtained and conveyed her son to Stirling, where she delivered him to his legal guardian. Animosities afterwards arising betwixt the Queen and Livingston, her Majesty was imprisoned by him, 1439. Crichton, the chancellor, by another stratagem, recovered the possession of the King's person. But, by the mediation of friends, a lasting agreement was at length formed between them, and the King was committed to the care of Livingston, as ordered by his deceased father. All differences were likewise settled betwixt him and the Queen, by a solemn indenture, published in Crawford's Peerage, dated 4th September 1439, betwixt her Majesty on the one Crawf. Peer. 276. part, and Sir Alexander Livingston of Calendar, Sir William of Cranston, knights, James Livingston, son and heir of Sir Alexander, and John Livingston, brother of Sir Alexander, on the other part.

Pinkerton, I. 198, 210. When the Earl of Douglas came into favour with the King, a parliament was held, 1445, in which Sir Alexander Livingston was denounced a rebel. He was imprisoned, 1446, but released on paying a large sum of money; however, Alexander, one of his sons, was tried and beheaded. He Rymer, XI. 235. was again taken into favour, 1449; appointed justiciary of Scotland, and was sent ambassador to England that year. He died soon thereafter, having married a daughter of Dundas of Dundas, by whom he had issue, Linlithgow.

1. Sir *James*.

2. *Alexander*, ancestor of the Livingstones of Dunipace.

1. *Janet*, married to Sir James Hamilton of Cadyow.

2. *Elisabeth*, married to James Dundas of Dundas.

XI. Sir JAMES LIVINGSTON of Calendar, the eldest son, had the appointment Crawf. Off. St. 312. of captain of the castle of Stirling, with the tuition of the young King James II. committed to him by his father. Sir James Fœdera, XI. 319, 327. Livingston of Calendar, was one of the commissioners appointed to treat with the English, 3d January 1453; and Jacobus, Dominus de Livingston, had a safe conduct to go into England, 2d May 1453. The same year he was sworn a privy-councillor, appointed master of the household, and great-chamberlain of Scotland. He was created a peer before 30th August 1458, when a charter was granted to James, Mag. Sig. L. v. No. 52. Lord Livingston, of the barony of Calendar, with the castle, the lands of Airth, Slamannan mure, Kilsyth, Polmais, Levilands, and Croftfidale, in Stirlingshire; Culter, in Lanarkshire; Calline, Callindrude, Douglas, Terrintcroy, &c. in Perthshire; all united into the barony of Calendar. He died about 1467. Marian, widow of James, Lord Livingston, occurs Rec. Parl. in the records of parliament, 4th July 220. 1478. He had issue,

1. *James*, second Lord Livingston.

2. *Alexander*, father of John, third Lord Livingston.

1. *Elisabeth*, married to John, Earl of Ross, Lord of the Isles.

2. *Eupheme*, married, first, to Malcolm, Ib. 375. son and heir of Robert, Lord Fleming; secondly, to William Fleming of the Bord.

XII. JAMES, second Lord LIVINGSTON, the eldest son, had a charter to Mag. Sig. L. xiii. No. 392. James, Lord Livingston, and Agnes Houstoun, his wife, of the lands of Slamannan mure, in the barony of Calendar, 30th January 1499-1500. He married, first, a daughter of Sir John Erskine of Kinnoul; secondly, a daughter of Sir Robert Crich-

Linlithgow. ton; thirdly, Agnes Houstoun; but, dying without issue, his estates and honours devolved on his nephew,

XIII. JOHN, third Lord LIVINGSTON, son of his brother Alexander; he died before 1510, having married, first, Elisabeth, daughter of Robert, Lord Fleming, by whom he had a son,

William, fourth Lord Livingston;

secondly, a daughter of Sir John Houstoun of Houstoun, by whom he had another son,

Alexander, ancestor of the Livingstons of Glentirran, whose male line is now extinct.

XIV. WILLIAM, fourth Lord LIVINGSTON, the eldest son, had a charter to him and Agnes Hepburn his wife, of the lands of Calen and Calendroch in Perthshire, Culter in Lanarkshire, and an annualrent of Craigston in Stirlingshire, 21st January 1509-10. He married Agnes, second daughter of Adam Hepburn younger of Hales, by whom he had a son,

Mag. Sig. L. xvii. No. 97.

Alexander, fifth Lord Livingston; and two daughters,

1. *Margaret*, married to John, fourth Lord Hay of Yester.

2. *Isobel*, married to Nicol Ramsay of Dalhousie.

XV. ALEXANDER, fifth Lord LIVINGSTON, the only son, had charters to Alexander, son and heir apparent of William, Lord Livingston, of the barony of Calendar, Airth, Kilsyth, Polmais, Levilands, Croftfederale in Stirlingshire, half of Culter in Lanarkshire, Calen, Calentroth, and Douglas in Perthshire, 3d February 1509-10; to him and Janet Stewart, his wife, of the dominical lands of Calendar, 30th March 1511; to Alexander Livingston, lord of the fee of the lordship of Calendar, and Janet Stewart, his wife, of the barony of Herbertshire, 14th January 1512-3; to Alexander, Lord Livingston, of part of the barony of Culter and dominical lands of Colbinstoun, 21st April 1518; of Polknaif in Stirlingshire from Margaret Hepburn, Lady Sinclair, 25th November 1523; and to Alexander, Lord Livingston, in liferent, and William Livingston, his second son, remainder to John, elder brother of William, of the dominical lands of Manwell in Stirlingshire, 10th July 1545. He was appointed an extraordinary lord of session, 5th March 1542. The custody of the Queen's person was committed to Lord Erskine and Lord Livingston, by act of Parliament 24th April 1545. Lord Livingston accompanied her Majesty to France in 1548, and died there about 1553. He married, first, Janet Stewart, without issue; secondly, Lady Agnes Douglas, daughter of John, second Earl of Morton, by whom he had seven children,

Mag. Sig. L. xvii. No. 98, 117. L. xviii. No. 121. I. xx. No. 112, 122. L. xxix. No. 405.

Linlithgow. Hailes's Catal.

Rec. Parl. 689.

Crawf. Peer. 280.

1. *John*, Master of Livingston, who had a charter to John Livingston, son and heir apparent of Alexander Lord Livingston, and Janet Fleming, his wife, of half of the barony of Culter in Lanarkshire, &c. 20th May 1546; he fell, in the lifetime of his father, at the battle of Pinkie, 10th September 1547, without issue by his said wife, who was eldest daughter of Malcolm, third Lord Fleming, and took to her second husband Richard Brown, younger of Hartree.

Mag. Sig. L. xxx. No. 282.

2. *William*, sixth Lord Livingston.

3. *Thomas* Livingston, who had a charter to Thomas Livingston, brother of William, Lord Livingston, and the heirs-male betwixt him and Agnes Crawford, his wife; which failing, to the second heir-male of William, Lord Livingston, and the heirs-male of his body; which failing, to William Livingston, son of Henry Livingston in Falkirk, and Alexander Livingston, natural son of James Livingston of Culter, and the heirs-male of their bodies respectively; which failing, to the nearest heirs of Lord Livingston, of half of the barony of Manwell in Stirlingshire, on the resignation of Alexander Livingstone of Dunipace, dated 4th January 1550-1. He acquired the lands of Haining by his marriage with Agnes, eldest of the two daughters and coheiresses of David Crawford of Haining, and was ancestor of the Livingstons of Haining.

L. xxx. No. 695.

1. *Elisabeth*, married to John Buchanan of Buchanan.

2. *Janet*, married to Sir Alexander Bruce of Airth.

3. *Magdalen*, married, first, to Sir Alexander Erskine of Gogar; secondly, to John Scrymgeour of Glaster.

Linlithgow.

4. *Mary*, married, in 1567, to John Semple of Beltrees; she was one of the maids of honour to Queen Mary, (one of the Queen's Maries.) An act of Parliament passed 19th April 1567, reciting, that her Majesty, taking regard and respect to the long and continued faithful service, not only done on the one part to her Majesty and her dearest mother, regent of her realm for the time, by her well beloved cousin, William, Lord Livingston, but also by his sister-german, Mary Livingston, her highness's familiar servitrice, and, on the other part, by her daily and familiar servitor, John Semple, son to Robert, Lord Semple, during all the youth-head and minority of her highness's servitors foresaid, and bearing good mind and favour as her highness's duty required to her said special servitors, the said John Semple and Mary Livingston, to knit them together in lawful marriage, and for maintaining and setting forwards of their honesty and estimation in lawful marriage, with provision of a reasonable living for their estate, wherethrough that they might the more fervently and readily continue and persevere in their obedient and lawful service in all time coming, &c. therefore, the Queen gave them conjunct-feftment of Auchtermuchty, and other lands. John Knox, on this occasion, said, Mary Livingston, the lusty, married John Semple, the dancer.

Rec. Parl. 760.

XVI. WILLIAM, sixth Lord LIVINGSTON, the eldest surviving son, had charters to William Livingston and Agnes Fleming, his wife, of an annualrent from lands in Stirlingshire, 1st October 1553, and to William, Lord Livingston, and George, his lawful son, of the lands of Ogilface, Brighous, Westakers, &c. 19th April 1588. He adhered to the interest of Queen Mary, was engaged in her cause at the battle of Langside, and died 1592. By the said Agnes Fleming, who was second daughter of Malcolm, third Lord Fleming, he had issue,

Mag. Sig. L. xxxi. No. 163. L. xxxvi. No. 482.

1. *Alexander*, seventh Lord Livingston.
2. *John*, died young.
3. *Henry*, died young.
4. Sir *George* Livingston of Ogleface, who had a charter of Madustoun in Stirlingshire, 18th October 1610. He was one of the adventurers in the plantation of forfeited estates in the county of Ardmagh, in Ireland; he died there. His eldest son, William Livingston of Craigengall, was father of Sir Alexander Livingston of Craigengall. This Sir Alexander Livingston of Craigengall, so designed in a certificate of George, Earl of Linlithgow, 1676, married the only daughter and heiress of Patrick Walker of Bedlormie, which estate having been settled on them at their marriage, his eldest son and successor was designed of Bedlormie, and was father of Sir Alexander Livingston of Westquarter and Bedlormie, baronet, father of Sir Thomas Livingston of Westquarter and Bedlormie, baronet, captain in the royal navy, who, as heir-male of the family, had the office of heritable keeper of the palace of Linlithgow and Blackness castle, which, at the period of the forfeiture of the Earl of Linlithgow, stood devised to heirs-male, conferred on him by King George III.

L. xlvi. No. 180.

5. Sir *William* Livingston of Westquarter and Cultre, of whom Sir Thomas Livingston of Westquarter and Bedlormie is heir of line.

1. *Jean*, married to Alexander, fourth Lord Elphinston; she had a charter to Jean Livingston, wife of Alexander, master of Elphinston, of the lands of Gargunnock, &c. 10th August 1579.

Mag. Sig. L. xxxv. No. 242.

2. *Margaret*, married, first, to Sir Lewis Bellenden of Auchinoule, justice-clerk; secondly, to Patrick, Earl of Orkney.

XVII. ALEXANDER, seventh Lord LIVINGSTON, the eldest son, had charters to Alexander, Lord Livingston, of the lands of Staneburn and Levingstoun, 24th December 1580; of Ogilface, Hillhouse, &c. 20th May 1593; Logie in Strathern, 15th June 1594; of the barony of Calendar, to him and the heirs-male of his body, which failing, to his nearest heirs-male, bearing the name and arms of Livingston, to be held in a free barony and forestry, 8th July 1594; of the lands of Correquhorumbie in Perthshire, 23d May 1595; of the office of bailiary of lands within the lordship of Linlithgowshire, to him and his heirs-male, 20th December 1597; of the office of constable and keeper of the castle of Black-

L. xxxv. No. 549. L. xxxix. No. 60. L. xl. No. 112, 113, 227. L. xli. No. 227, 328, 329. L. xlii. No. 128.

ness, with certain lands thereto annexed, to him and the heirs-male of his body, which failing, to his heirs-male and of entail, 28th February 1598; of the dominical lands of Manwell, 13th April 1599; of the barony of Calendar, including Airth, half of Culter, &c. united into the barony and regality of Calendar, and the town of Falkirk erected into a free burgh of barony, to him and the heirs-male of his body, which failing, to his nearest heirs-male, bearing the name and arms of Livingston, 13th March 1600; this charter makes honourable mention of the great care and fidelity bestowed by the Lord Livingston and his lady in the education of the King's children, and the expence incurred in maintaining them and their servants.

He was created Earl of Linlithgow, Lord Livingston and Calendar; according to Sir James Balfour, the creation took place at the baptism of Prince Charles, 25th December 1600; according to the first edition, 15th November 1600; the patent is not in the public register, nor is it known whether it is extant. He was one of the commissioners appointed by Parliament to treat of an union with England in 1604. Alexander, Earl of Linlithgow, and Helen Hay, his wife, had a charter of the barony of Livingston, and other lands, united into the lordship of Livingston, to them and the heirs-male of the marriage, which failing, to his nearest heirs-male, 10th December 1604. He had charters of the Temple lands of Nether Carlourie, 7th February 1605; of the barony of Falkirk, 2d September 1606; of the heritable office of justiciary and bailiary of the barony of Ogleface, 6th October 1607; of part of the lands of Blackness, 26th December 1608; and of the barony of Herbertshire, 22d December same year, limited to his heirs-male. Alexander, Earl of Linlithgow, and Lady Helenor Hay, his wife, had a charter of the lands of Smydiehill in the county of Linlithgow, 2d April 1622, and he died immediately afterwards.

He married Lady Eleanor Hay, only daughter of Andrew, seventh Earl of Errol; the charge of the Princess Elisabeth was committed to their care; and they discharged that trust so much to the satisfaction of King James VI., that, when they delivered her safe at Windsor, in 1603, they obtained an act of approbation from the King and council. They had issue,

Acts of Parliament.

Mag. Sig. L. xliv. No. 58, 219, 293. L. xlv. No. 80, 256, 258. L. l. No. 15.

Penes Com. de Errol.

1. *John*, Master of Livingston, who died unmarried.

2. *Alexander*, second Earl of Linlithgow.

3. *James*, Earl of Calendar.

1. Lady *Anne*, married to Alexander, sixth Earl of Eglintoun, and had issue.

2. Lady *Margaret*, married to John, second Earl of Wigton, and had issue.

XVIII. ALEXANDER, second Earl of LINLITHGOW, the eldest surviving son, was appointed an extraordinary lord of session, 13th January 1610; served heir of John, Master of Livingston, his elder brother, 18th February 1614; and of his father, 22d May 1622. He had three charters, 14th February and 1st August 1627, of the lands of Muckraw, the barony of Airth, and the office of constable or keeper of the palace of Linlithgow, to himself, and the heirs-male of his body, which failing, to his nearest lawful heirs-male and assigns whatsoever. He married, first, Lady Elisabeth Gordon, second daughter of George, first Marquis of Huntly, and by her, who died in childbed of her son, at Edinburgh, July 1616, had issue,

Inq. Ret. in Pub. Arch.

Mag. Sig. L. li. No. 214. L. lii. No. 10, 92. L. liv. No. 84.

Hist. Suth. 335.

George, third Earl of Linlithgow.

He married, secondly, Lady Mary Douglas, eldest daughter of William, tenth Earl of Angus, by whom he had another son,

Alexander, second Earl of Calendar; and two daughters,

1. Lady *Margaret*, married, first, to Sir Thomas Nicolson of Carnock; secondly, to Sir George Stirling of Kier; thirdly, to Sir John Stirling of Kier.

2. Lady *Eleanor*, died unmarried.

XIX. GEORGE, third Earl of LINLITHGOW, the eldest son, born July 1616, had a charter to "George, Lord Living-"ston," of the office of constable and keeper of the palace of Linlithgow and castle of Blackness, on his father's resignation, 15th December 1642, to him and the heirs-

Mag. Sig. L. lvi. No. 149. L. lxii. No. 91, 230. L. lxiii. No. 14. L. lxviii. No. 174. L. lxix. No. 201.

Linlithgow. male of his body, which failing, to his nearest heirs-male of entail and assigns whatsoever. He had charters to "George, "Earl of Linlithgow," of these offices, with the same remainders, 14th May 1669; of the lands of Tartrevan, 8th July 1670, Mortoun, 11th July 1671, Balvormie, 12th April 1682, and Waterstoun, all in the county of Linlithgow, 25th November 1682, with the same remainders. He suffered much hardship on account of his attachment to the royal family during the usurpation; was appointed colonel of the royal regiment of horse-guards, and sworn a privy-councillor at the restoration. He resigned his command in the army in 1681, when he was constituted justice-general of Scotland, of which office he was deprived at the revolution. He was implicated in Sir James Montgomery's plot for the restoration of the abdicated family, and died 1st February 1690, æta. 74. He married, 30th July 1650, Lady Elisabeth Maule, second daughter of Patrick, first Earl of Panmure, dowager of John, second Earl of Kinghorn, and by her, who died at Castlehuntly in October 1659, had issue,

Lamont's Annals, MS.

1. *George*, fourth Earl of Linlithgow.
2. *Alexander*, third Earl of Calendar.

Daughter, Lady *Henriet*, married, in July 1666, to Robert, second Viscount of Oxfurd.

XX. GEORGE, fourth Earl of LINLITHGOW, the eldest son, was served heir of his father, 21st October 1690; was sworn a privy-councillor, 1692; appointed one of the commissioners of the treasury; and died 7th August 1695. He married Henriet Sutherland, eldest daughter of Alexander, first Lord Duffus, but, having no issue by her, his title devolved on his nephew, James, Earl of Calendar, son of

XX. ALEXANDER, third Earl of CALENDAR, who, on the death of Alexander, second Earl of Calendar, his uncle, in August 1685, succeeded to his titles and estates, and was served heir of entail and provision of him, in the baronies of Calendar, Haining, and other lands, 16th May 1688. He died in December 1692, having married Lady Anne Graham, eldest daughter of James, second Marquis of Montrose, by whom he had a son,

Linlithgow.

James, fourth Earl of Calendar; and two daughters,

1. Lady *Henriet*, died, unmarried, 25th May 1738.
2. Lady *Mary*, married to James Graham of Airth, in the county of Stirling, judge-admiral of Scotland, and had issue, and died 26th March 1734.

XXI. JAMES, fourth Earl of CALENDAR, the only son, was served heir of his father, 4th August 1693, and succeeded his uncle, George, Earl of Linlithgow, in titles and estates, 1695. He was served heir of him in his property in the counties of Aberdeen, Edinburgh, Elgin, Fife, and Linlithgow, 10th November 1696. James, Earl of Linlithgow and Calendar, was elected one of the sixteen representatives of the Scotish Peerage, on the vacancy occasioned by the death of the Duke of Hamilton, 13th January 1713, and was re-chosen at the general election, 12th November 1713. Engaging in the rebellion, 1715, he was attainted of high treason, and his estate of L.1296 a-year, and his honours, forfeited to the crown. He married Lady Margaret Hay, second daughter of John, twelfth Earl of Errol; and by her had a son, *James*, Lord Livingston, who died 30th April 1715; and a daughter, Lady *Anne* Livingston, who married *William*, fourth Earl of Kilmarnock; her eldest son, James, succeeded in her right to the earldom of Errol; see that title.

ARMS.—Quarterly; 1st and 4th, Argent, three cinque-foils, gules, within a double tressure, with fleurs-de-lis, vert, for Livingston. 2d and 3d, sable, a bend between six billets, Or, for Calendar. Over all, in an escutcheon, azure, an oak growing out of the base, Or, within a bordure, argent, charged with eight gilliflowers, gules, as a coat of augmentation, for the title of Earl of Linlithgow.

CREST.—A demi-savage wreathed about the temples and waist with laurels, proper, holding in his right hand a baton, erect, and in the left a serpent, which is twisted about his arm.

Linlithgow. SUPPORTERS.—Two savages, proper, wreathed as the crest, each holding on his exterior shoulder a baton; Or. Linlithgow.

MOTTO.—*Si je puis.*

The family of Livingston, Earls of Linlithgow and Calendar, is now represented by Sir Thomas Livingston of Westquarter and Bedlormie, whose father, Sir Alexander Livingston, laid, in 1784, before Lord Kenyon, then attorney-general, a case respecting his claim to the titles of Earl of Linlithgow and Calendar. From this case it appears that James, first Earl of Calendar, had charters of the barony of Calendar and other lands, 21st September 1643; of the lands and baronies of Dunipace, Seabegs, Haining, and others, in the counties of Stirling and Linlithgow, and the office of sheriff of Stirlingshire, 22d July 1646, ratified by parliament, 27th May 1647; of the barony of Dunipace, &c. 28th July 1647, with power to him to designate his successor in his titles and estates. The Earl of Calendar used the power thereby given to him by an instrument of livery and sasine, proceeding on a bond of tailzie and provision dated 19th May 1657, in favour of Alexander Livingston, his nephew, of his whole estate, and his titles, honours, and dignities of Earl of Calendar, and Lord Livingston of Almond, and he was accordingly infeft in these lands and dignities, 21st May 1657. James, Earl of Calendar, executed another disposition of his estates and dignities, 7th May 1660, in favour of his nephew, Alexander Livingston, and the heirs-male of his body; which failing, to the second son of George, (then) Earl of Linlithgow, if there shall happen to be existent for the time, a second son of the said Earl, and the heirs-male of the body of such second son; which failing, to Alexander Livingston, son to umquhile Sir Alexander Livingston, his nephew, and the heirs-male of his body, which failing, to return to him and his nearest lawful heirs-male and assignees whatsoever.

A patent was obtained under the great seal, of date 21st November 1660, bearing that King Charles I., by patent dated 6th October 1641, created James, Earl of Calendar, Lord Livingston and Almond, and the heirs-male of his body, Earl of Calendar, &c.; and, by charter of 22d July 1646, gave power to the said Earl, failing heirs-male of his body, to designate and nominate the person who should succeed to himin his estate, declaring the same person and his successors should, in all time thereafter, enjoy his titles and honours; and that the said Earl having no heirs of his body, and having presented a petition to the King, desiring that his Majesty might be pleased to confer his title on Alexander Livingston, his nephew, (second son of the late Alexander, Earl of Linlithgow,) and the heirs-male of his body; which failing, to the second son of George, Earl of Linlithgow, and the heirs-male of the body of such second son; which failing, to Alexander Livingston, son of the deceased Sir Alexander Livingston of Dalderse, and the heirs-male of his body. And his Majesty thereby makes and constitutes the said Alexander Livingston, and the other persons above-named, after the said Earl's decease, Earls of Calendar, Lords Livingston and Almond, reserving the said titles to the said James during all the days of his life. In the last patent, the order of succession differs essentially from that made by James, Earl of Calendar, to his honour and estate, for there is no clause of return failing Alexander Livingston of Dalderse, and the heirs-male of his body; and it proceeds upon an erroneous recital, as it says, that, by the charter 1646, power was given by his successor to name his successor in his lands and titles, for that power was given only by the charter 1647.

Alexander Livingston, the nephew, had a charter dated 29th June 1663, to Alexander Livingston of Almond, of the whole lands, lordships, &c. disponed to him by his uncle. He succeeded as second Earl of Calendar, on the death of his uncle, 1672; and was served heir of provision of Alexander Livingston of Dalderse, who died in March 1694, and in whom the family of Dalderse became extinct.

Lord Kenyon gave it as his opinion, that there being a failure of issue-male of all the persons to whom the title of Earl of Calendar was limited, it appeared to

Linlithgow. him, that Sir Alexander Livingston, the heir-male was well entitled to the honours conferred by the patent of 1660, and that his title was untouched by the attainder of the Earl of Linlithgow, 1715. Also, that Sir Alexander Livingston, standing in the place of Alexander, son of Sir Alexander, who took the remainder by purchase (as it is called in the law of England,) therefore his title was untouched by the forfeiture of the collateral relation, from whom he did not claim by descent. Linlithgow.

KERR, MARQUIS OF LOTHIAN, EARL OF ANCRUM, AND LORD JEDBURGH.

Lothian. In the first edition, these three titles were treated of separately, under their respective heads. As they are now vested in the Marquis of Lothian, it has been judged proper, for the sake of perspicuity, to include the whole in one article.

The distinction betwixt the Kers of Fernihirst, the progenitors of the Marquis of Lothian, and the Kers of Cessford, the ancestors of the Dukes of Roxburgh, is well known. Of Anglo-Norman lineage, and descended, as is said, from two brothers, who settled in Scotland in the thirteenth century; neither house would yield the superiority to the other, forming two separate races of warlike border chieftains. Of the family of Fernihirst, of which the Marquis of Lothian is male representative, it is our province now to treat; but, before proceeding to a connected detail of the descent of that noble house, it becomes necessary to notice that branch of the Kers of Cessford, which was dignified with the titles of Lord Newbottle and Earl of Lothian, as these titles were transmitted through an heir-female, to the house of Fernihirst, and are now possessed by the Marquis of Lothian.

Crawf. Peer. 268. I. Mark Ker, second son of Sir Andrew Ker of Cessford, entering into holy orders, was promoted, in 1546, to the dignity of Abbot of Newbottle; which station he possessed at the reformation 1560, when he renounced the profession of popery, and held his benefice in commendam. He had the vicarage of Lintoun, in the county of Peebles, for life, 26th March 1564, got a charter, under the great seal, to Mark Ker, commendator of Newbottle, and Helen Lesly, his wife, of the lands of East and West Bernis, in the constabulary of Haddington, 13th May 1567; was appointed one of the extraordinary lords of session, 20th April 1569, and died in 1584. He married Lady Helen Lesly, second daughter of George, fourth Earl of Rothes, and by her had issue, Lothian. Writs of Privy Seal. D. Mag. Sig. L. xxxv. No. 402.

1. *Mark.*

2. *Andrew* Ker of Fentoun.

3. *George*, mentioned in Robertson's history as an emissary from the catholic noblemen to the court of Spain, 1592. Robertson's Hist. III. 7.

4. *William.*

Daughter, *Catherine*, married to William, Lord Herries. Writs of Privy Seal. D.

II. Mark Ker, the eldest son, was appointed Master of Requests, 20th March 1577, and had that office confirmed to him in 1581. On the death of his father, the commendatorship of Newbottle, to which he had been provided by Queen Mary in 1567, was ratified to him by letter under the great seal, Marco Ker, Regi supplicationum Magistro, abbaciæ de Newbottill, 24th August 1584; and he was also appointed one of the extraordinary lords of session, in his father's place, 12th November 1584. He had the lands of Newbot- Mag. Sig. L. xxxv. No. 908. L. xxxvii. No. 92. L. xxxviii. No. 237. L. xli. No. 499. L. xlii. No. 86. L. xliii. No. 176. L. xliv. No. 182.

Lothian.

tle erected into a barony, with the title of a baron, 28th July 1587; and had a charter of the baronies of Prestongrange and Newbottle, united into the lordship of Newbottle, with the title of a lord of parliament, 15th October 1591. His Lordship was one of the commissioners for holding the parliament, 1597; had charters of the office of justiciary and bailiary in the regality of Stow and Wedale, 9th January 1598-9; of the lands of Cribbilaw, 17th April 1599; and of the ecclesiastical lands of Keringtoun, to him and Margaret Maxwell, his wife, 6th April 1601; and was created Earl of Lothian, by patent, dated at Whitehall, 10th February 1606, to him and the heirs male of his body; and he died 8th April 1609. By Margaret Maxwell, his wife, daughter of John, Lord Herries, who survived him, he had issue,

1. *Robert*, second Earl of Lothian.

2. Hon. Sir *William* Ker of Blackhope, who, on the death of his brother, assumed the title of Earl of Lothian, but was interdicted from using it by the lords of council, 8th March 1632.

3. Hon. Sir *Mark* Ker.

4. Hon. *James* Ker.

1. Lady *Janet*, married, first, to Robert, Master of Boyd, and had issue; secondly, to David, tenth Earl of Crawford, without issue.

2. Lady *Janet*, married to William, eighth Earl of Glencairn, and had issue.

3. Lady *Margaret*, married, first, to James, seventh Lord Yester, and had issue; secondly, to Andrew, Master of Jedbrugh, without issue. She founded Lady Yester's Church, at Edinburgh, and died 15th March 1647, æta. 75.

4. Lady *Isabel*, married to William, first Earl of Queensberry, and had issue.

5. Lady *Lilias*, married to John, Lord Borthwick, and had issue.

6. Lady *Mary*, married to Sir James Richardson of Smeaton.

7. Lady *Elisabeth*, married to Sir Alexander Hamilton of Innerwick.

III. ROBERT, second Earl of LOTHIAN, was appointed master of requests, 8th April 1606; succeeded his father 1609; and was served heir of him, in his property in the counties of Edinburgh, Fife, Haddington, Lanark, Linlithgow, Peebles, and Stirling, 24th May 1609. He had a charter of the lordship of Newbottle, with a novodamus, 3d February 1620. Having no male issue, he made over his estates and titles, with the King's approbation, to his eldest daughter, Lady Anne, and the heirs of her body; and she accordingly succeeded thereto at his death, which happened, 15th July 1624. He married Lady Annabella Campbell, second daughter of Archibald, seventh Earl of Argyll, by whom he had two daughters,

Inq. Ret. in Pub. Arch.

Lothian. Mag. Sig. L. 1. No. 46.

Crawf. Peer. 268.

1. *Anne*, Countess of Lothian.

2. Lady *Joanna*.

IV. ANNE, Countess of LOTHIAN, was, with her sister Lady Joanna, served heir of her father, 27th January 1636. She married William, eldest son of Robert, first Earl of Ancrum, and thus carried the title of Lothian into the house of Fernihirst, of whom we have now to treat.

Inq. Ret. in Pub. Arch.

According to Sir George Mackenzie, the Kers of Fernihirst are descended from the elder brother, while the Kers of Cessford proceed from the younger, because the former carry the same arms with the Kers of England and France, without any difference of tincture or charge.

I. RALPH KER, the first of this house, settled in Teviotdale about 1330, and got possession of the lands lying betwixt the water of Jed and the lands of Straseburgh, of which the Earls of Douglas were superiors, and called them Kershaugh. He died about 1350, leaving a son,

Mackenzie's Collections, in Bibl. Jurid. D.

II. THOMAS KER of Kershaugh, who purchased the lands of Crailing from the Homes, and married Margaret, daughter of Sir Thomas Somerville of Carnwath, by whom he had two sons,

Ibid. and MS. Hist. of Family of Somerville. D.

1. *Andrew*.

2. *John* Ker, who had a charter from King David II. to John Ker, burgess of Stirling, particatæ terræ in vico furcarum burgi de Aberdene, 1st June 1365.

Reg. Mag. Sig. 46.

III. ANDREW KER of Kershaugh, the eldest son, was cupbearer to King Robert III., and married Margaret, daughter of

Mackenzie's Collections, MS. D.

Lothian.

Edmonstone of Edmonstone, by whom he had a son,

Mackenzie's Collections. D.

IV. THOMAS KER of Kershaugh, who died about 1430, having married Elisabeth, daughter of Sir Thomas Home of Home, by whom he had three sons,

1. *Andrew.*
2. *Thomas.*

Rymer, II. 264. D.

3. *James;* the two last are mentioned in a protection from the King of England to the Earl of Douglas, 1452.

V. ANDREW KER of Kershaugh, the eldest son, accompanied the Earl of Douglas to Rome, 1450, and is particularly mentioned in a passport from the King of England. He married Jean, daughter of Crichton of Crichton, by whom he had a son and successor,

Ibid.

Mackenzie's Collections, MS. D.

VI. RALPH KER of Kershaugh, who died about 1460. He married Mary, daughter of Towers of Innerleith, and by her had two sons,

Ibid. D.

1. *Andrew.*
2. *Robert* Ker of Yair.

VII. ANDREW KER of Kershaugh, the eldest son, married Mary, daughter of Herbert, first Lord Herries, and by her had two sons,

Ibid. D.

1. *Thomas.*
2. *John*, ancestor of the Kers of Greenhead.

VIII. THOMAS KER of Kershaugh, the eldest son, built a house in the middle of Jedburgh forest, gave it the name of Fernihirst, and was designed by that title in the records of parliament, 1476. He had a charter of the barony of Fernihirst, from Archibald, Earl of Angus, the superior, and died in 1499. By his wife, Catherine, daughter of Sir Robert Colvill of Ochiltree, he had three sons,

Rec. Parl. 215.

1. Sir *Andrew.*
2. *Ralph*, ancestor of the Carres of Cavers.

Mag. Sig. L. xxvi. No. 126.

3. *William*, who had a charter of the lands of Langley and Gallastongis, in Jedburgh forest, to William Ker, brother of Andrew Ker of Fernihirst, 14th August 1537.

Lothian.

IX. Sir ANDREW KER of Fernihirst, the eldest son, had charters of half of the barony of Oxenham, from Robert Colvill of Ochiltree, 5th May 1509, of half of the same barony from Margaret Colvill, daughter and heir of the late Robert Colvill of Ochiltree, 31st December 1511; and a confirmation of the lands of Fernihirst the same year. He was endowed with superior parts, and made a great figure in the reigns of James IV. and V., having on many occasions distinguished himself in resisting the power of England on the borders, particularly at the siege of his castle of Fernihirst, by the Earl of Surry and Lord Dacre, to whom he was obliged to surrender, after a brave defence, 24th September 1523. He had a charter of the barony of Oxenham, 17th January 1523-4, to himself in liferent; remainder to his sons Thomas, John, and Robert, his brothers Ralph and William, and the heirs male of their bodies respectively.

Mag. Sig. L. xv. No. 31. L. xviii. No. 27.

Redpath, 515. Drummond, 91.

Mag. Sig. L. xxi. No. 150.

King James V. being scarcely better than a captive in the hands of the Earl of Angus and the Douglasses, Andrew Ker of Fernihirst did not think it necessary to pay obedience to their mandates; on which account a summons of treason was raised against him for not attending the Earl of Angus, lieutenant and warden of the marches; for not compearing before the King and council, and for engaging in factions against his Majesty. He appeared personally in presence of the King and estates in parliament, 20th July 1526, when it was declared that he was clean and innocent of all the points and articles contained in the said summons, and he was accordingly assoilzied.

Rec. Parl. 360.

Sir Andrew Ker had a charter from Margaret Halyburton, youngest daughter and one of the heirs of the Lord of Dirletoun, 10th August 1526, of her part of West Fentoun, in the barony of Dirletoun, and of the lands of Segy, in Kinross-shire. He held the lands of Fernihirst of the Earl of Angus, and, on the forfeiture of the Earl, had a charter of the same from the King, 5th September 1528; also, of the lands of Bethroull, 20th April same year. He had the office of guardian of the middle marches, and was one of the commissioners to treat of a peace with the English, which

Mag. Sig. L. xxi. No. 49. L. xxii. No. 154, 237.

Fœdera, XIV. 278. D.

Lothian.

Mag. Sig. L. xxvi. No. 410. L. xxvii. No. 412.

they happily concluded in 1528. A charter of the barony of Fernihirst was granted, 21st May 1540, to Andrew Ker of Fernihirst, guardian of the King's middle marches, for life; remainder to John and Robert, his sons, George Ker, son of the deceased Ralph Ker, William and John Kers, brothers of George, and William Ker, brother-german of the said Andrew Ker of Fernihirst, and the heirs male of their bodies respectively. He had a charter of part of Bedrule, 7th November 1541; obtained the office of bailiary of Jedburgh Forest, 1542; and died in 1545. By his wife, Janet, second daughter of Sir Patrick Home of Polwarth, he had issue,

Writs of Privy Seal, D.

1. *Thomas*, who died before his father, unmarried.

2. Sir *John*.

3. *Robert* Ker of Ancrum.

Mag. Sig. L. xxviii. No. 10.

1. *Janet*, who had a charter of lands in the town of Bethroull, on the resignation of George Turnbull of Bethroull, 26th November 1519.

2. *Isabel*, married to Sir Walter Ker of Cessford.

X. Sir JOHN KER of Fernihirst, the second, but eldest surviving, son, had a charter of some lands in the town of Langton, in Roxburghshire, 3d January 1524-5; succeeded his father, 1545; was warden of the middle marches, and received the honour of knighthood from the Duke of Chatelherault, in 1548, for his good services in restraining the incursions of the English on the borders. With the assistance of the French troops, under D'Esse, he retook his castle of Fernihirst from the English, by storm, in 1549. John Ker of Fernihirst, and Walter Ker of Cessford, had a letter of remission, under the great seal, for being art and part in the treasonable and cruel murder of Walter Scott of Branxholm, knight, committed in October 1552. Sir John Ker died in July 1562, leaving, by his wife, Catherine, eldest daughter of Sir Andrew Ker of Cessford, four children,

L. xxii. No. 240.

Loth. Fam. Arch.

Holinshed, 349.

Mag. Sig. L. xxxii. No. 32.

1. Sir *Thomas*.

2. *Andrew* Ker of Nether Gogar, whose male line is extinct.

Writs of Privy Seal. D.

3. *William* Ker, who was a great royalist, and adhered firmly to the interest of Queen Mary, who, for his good and faithful services, was pleased, in 1561, to settle on him a pension of 500 marks. He died without issue.

Lothian.

Daughter, *Margaret*, married to William, Lord Hay of Yester.

XI. Sir THOMAS KER of Fernihirst, the eldest son, succeeded his father, 1562; was a man of eminent parts, great probity and honour; a steady friend and most loyal servant to Queen Mary, who considered him as one of her most trusty and powerful adherents. He suffered, at different periods of his life, fourteen years banishment on her account, and never deserted her cause to the last. In October 1565, he attended the Queen and Darnley to Dumfries, to assist in quelling the insurrection of the nobles. Upon this occasion, Mary commanded him to raise the royal standard at the head of his followers, and placed herself under his immediate protection. He joined the Queen at Hamilton, on her escape from Lochleven, in May 1568. The day after the murder of the Regent Moray, in January 1570, he, and Sir Walter Scott of Buccleuch, entered England with fire and sword, in hopes of kindling, betwixt the two kingdoms, a war that might prove of advantage to the interest of Mary. By way of retaliation, the Earl of Sussex, and Lord Hunsdon, in April that year, entered Scotland, demolished the castle of Fernihirst, and ravaged the neighbouring country.

Letter from Queen Mary in Loth. Fam. Arch.

Mon. Inscr. Ker's Aile in Jedb. Abbey.

Redpath, 617.

Loth. Fam. Arch.

Robertson, II. 173.

Camden.

In September 1571, he was one of those who attacked the convention, or parliament, of Stirling, and in the conflict the Earl of Lennox was killed. Sir Thomas Ker was forfeited, 28th August 1571, and his estate confiscated. He joined the gallant Kirkaldy in the defence of the castle of Edinburgh, to which he had removed his family charter-chest, which, at the surrender of that fortress, in 1573, was seized by the Regent Morton, and never recovered. After this Sir Thomas Ker was obliged to seek refuge in France, Spain, and Holland. King James VI. no sooner took the government upon himself than he gave Sir Thomas liberty to return home, 1579; and being perfectly sensible that his loyalty and attachment to his mother's in-

Mag. Sig. L. xxxv. No. 722. P. S. L. xlviii. fol. 24

Loth. Fam. Arch. P. S. L. xlix. fol. 193.

Lothian.

terest had been his greatest crimes, his Majesty restored him to the possession of his whole estate in 1581. But soon after his return he was again compelled to fly his country. He obtained a full and ample remission from his Majesty, under his great seal, 26th November 1583.

Loth. Fam. Arch. L. xlviii. fol. 24. Loth. Fam. Arch. Mag. Sig. L. xxxv. No. 722.

Spottiswoode, 339.

In 1585, about midsummer, Sir Thomas Ker and Sir John Forster, the Scotish and English wardens of the middle marches, having met according to the custom of the borders, a fray took place, in which Sir Francis Russel, son of the Earl of Bedford, was killed. This gave great offence to Queen Elisabeth, to appease whom Sir Thomas Ker was committed to ward in Aberdeen, where he died in March 1586, and was buried there by his own command.

Mon. Ins. in Ker's Aile in Jedburgh Abbey.

P.S. L. xlix. fol. 193. L. ii. fol. 29. Bond of Buccleuch, in Loth. Fam. Arch. Letters of James VI. do. Mon. Ins.

He was hereditary bailie of Jedburgh forest, warden and justice of the middle marches, keeper of Liddesdale, and provost of Edinburgh and Jedburgh. Camden speaks of him thus: "He was a stout "and able warrior, forward to great at- "tempts, and who, for his immoveable fi- "delity towards the Queen of Scots, and "the King, her son, having been once or "twice turned out of all his goods and "lands, and thrust out of the sight of his "country and children, endured banish- "ment patiently, and after so many crosses "concurring, persisted unbroken, and al- "ways like himself."

Camden's Annals.

Books of Session.

He married, first, in 1561, Janet, daughter of Sir William Kirkaldy of Grange, governor of the castle of Edinburgh, by whom he had a son,

Sir *Andrew*;—and two daughters,

Loth. Fam. Arch.

1. *Janet*, married, first, to Sir Patrick Home of Polwarth; secondly, to Thomas, first Earl of Haddington, and had issue to both.

2. *Margaret*, married to Robert, second Lord Melville of Monymail, without issue. He married, secondly, in 1569, Janet, sister of Sir Walter Scott of Buccleuch, by whom he had issue,

1. Sir *James Ker* of Crailing.

2. *Thomas*, who got from his father the lands of Oxenham.

Crawf. Off. St. 400.

3. *Robert*, who served King James in the quality of page, and, attending his Majesty into England, was invested with the order of the Bath at his coronation. After that, for his further improvement, he went to France, where he spent four years in attaining the languages, and perfecting himself in the exercises then most in vogue, he came to the court of England, in 1607. At a tilting match, Richard, Lord Dingwall, made choice of him to present his shield and device to the King; but, while he was dismounting, his horse threw him and broke his leg. The King gave orders to have him lodged in the court, and visited him often during his confinement, in which he made so great progress in his Majesty's favour, that, as soon as he recovered, he was appointed one of the gentlemen of the bedchamber, and had the sole distribution of favours at court. He was constituted high-treasurer of Scotland, 1613; created Viscount of Rochester, 25th March 1612; installed knight of the Garter in May following; created Earl of Somerset and Baron of Brancepeth, 3d November 1613; had the office of chamberlain of the household, 1613; and was sworn a privy-councillor. He and his Countess were tried for, and convicted of, the murder of Sir Thomas Overbury, 24th May 1616; he was freed from imprisonment from the Tower, January 1621-2; but ordered to be confined to the house of Viscount Wallingford. He obtained a pardon, under the great seal, 7th October 1624; and dying at London in July 1645, was buried on the 17th of that month in St Paul's, Covent-Garden. He was married, in the chapel of Whitehall, in presence of the King and Queen, 26th December 1613, to Lady Frances Howard, third daughter of Thomas, first Earl of Suffolk, the divorced wife of Robert, Earl of Essex; and by her, who died 23d August 1632, had a daughter, Lady Anne, baptized at St Martin's, Ludgate, 16th December 1615; married to William, first Duke of Bedford, and was mother of Lord Russel.

Lothian.

Daughter, *Anne*, married to John, Lord Balmerinoch.

XII. Sir ANDREW KERR, the eldest son, had a charter of East and West Nisbets, 5th September 1584, and another of the office of bailiary of the lands and baronies belonging to the monastery of Jedburgh,

Mag. Sig. L. xxxv. No. 892. L. xxxvii. No. 118.

Lothian.

Mag. Sig. L. xlvii. No. 85, 198. L. xlviii. No. 92. L. xlix. No. 331. L. i. No. 88.

15th March 1587-8. The charter bears that umquhile Andrew Kerr of Fernihirst, umquhile John Kerr of Fernihirst, and umquhile Thomas Kerr of Fernihirst, knights, his great-grandfather, grandfather, and father, were constituted lawful bailies of these lands from the year 1542. He was appointed one of the gentlemen of the bedchamber of King James VI. 1591; had charters to him and Sir Andrew Kerr of Oxnam, his son, of half of the barony of Maxwell, in Roxburghshire, 4th December 1612; of the lands of Echiesteill, in Selkirkshire, 12th February 1614; of Swineside, 26th July 1616; of Fewroull, 29th March 1621; and was created a peer, by the title of Lord Jedbrugh, by patent, dated at Newmarket, 2d February 1622, to him and his heirs male and successors in the family of Fernihirst, bearing the name and arms of Kerr. He died in 1631, without surviving issue. He married Anne, eldest daughter of Andrew, Master of Ochiltree, by whom he had a daughter, married to Macdowall of Garthland, and one son, Sir Andrew Kerr, Master of Jedbrugh, who had a charter of the barony of Halden, in Roxburghshire, and half of the barony of Brochtoun, in the county of Peebles, 28th July 1625. He was appointed captain of the King's guards, in 1618, and sworn a privy-councillor; constituted one of the extraordinary lords of session, 8th November 1628; and died 20th December following, without issue, by his wife, Lady Margaret Ker, third daughter of Mark, first Earl of Lothian, relict of James, Lord Hay of Yester*.

L ii. No. 44.

XII. Sir James Kerr of Crailing, the second son, had charters of the lands of Maxwellhaugh, to James Kerr of Overcrailing, 14th June 1611; of the barony of Grubet, to Sir James Kerr of Crailing, 18th June 1627; he succeeded to the title of Lord Jedbrugh, on his brother's death, in 1631, but did not assume it; and died in 1645, leaving, by his wife, Mary Rutherford, heiress of Hundallie, a son,

L xlvi. No. 300. L. ii. No. 132.

Robert, third Lord Jedbrugh;—and a daughter,

Hon. —— Kerr, married to John Ker of Westnisbet. Their son, John Ker of Cavers was, 3d February 1693, served heir of Robert, Lord Jedbrugh, his uncle, in the lands of Hundallie and Eshtries, with the castle, in the lordship of Jedbrugh Forest, and other property.

Inq. Ret. xliii. 168.

XIII. Robert, third Lord Jedbrugh†, who obtained from King Charles II. a confirmation of the peerage of Jedbrugh, to him and the heirs male of his body; which failing, to William, Master of Newbottle, and the heirs male of his body; which failing, to the said Master of Newbottle, his heirs male whatever, with the original precedency of 2d November 1622, by patent, dated 11th July 1670. On this title the Lords of Session, in their return to the House of Peers, 1740, observe, That the latest charter of the honours of Lord Jedbrugh, that has hitherto been found, is in the records of the great seal, 1670, which, on failure of Robert Ker of Fernihirst, and the heirs male of his body, limits the honours to William, Master of Newbottle, and the heirs male of his body; which failing, to the said Master's nearest lawful heirs male whatsoever. That this William, Master of Newbottle, succeeded to the honours of Jedburgh, and on that title voted in parliament, 1702, where his father, the Marquis of Lothian, also sat and voted as Marquis of Lothian, and upon his father's decease succeeded to the honours of Lothian; and therefore, if a judgment were to be formed on what thus appears, it would be natural to conclude, that the honours of Jedburgh and Lothian are conjoined in the same person; but as it appears that the present Marquis of Lothian,

Robertson's Proceedings, 227.

Lothian.

* Charters were granted to John Ker, son of Sir John Ker of Jedburgh, of the barony of Maxtoun and Lintoun, in Roxburghshire, 9th February 1619; to Sir John Ker of Jedburgh, of the lordship of Jedburgh, lands of Cannobie, and lordship of Ewisdale, united to the lordship of Jedburgh, 22d April 1619; to Sir John Ker of Jedburgh and John, his son, of the lands of Nisbets, 6th July 1619; and to Sir John Ker of Jedburgh, of the barony of Tarras, 22d February 1620. Mag. Sig. L. xlix. No. 101, 165, 167, 246.

† In the Public Registers are charters to Robert Ker, of the lands of Fernihirst, 7th June 1608; and to Sir Robert Ker, knight, of the lands of Maxwell, Caerlaverock, united into the lordship of Caerlaverock, 15th January 1610. Mag. Sig. L. xlv. No. 225. L. xlvi. No. 57.

Lothian.

in his father's lifetime, voted, in 1712, at the election of a peer, under the character of Lord Jedburgh, it is not impossible that the family of Lothian may be possessed of some settlement of this peerage of Jedburgh, different from what hitherto has been found in the records.

According to the first edition, Robert, third Lord Jedbrugh made an entail of his estate and honours, 11th July 1670, in favour of William, Lord Newbottle, son of Robert, then Earl, afterwards Marquis of Lothian, his nearest heir male; and after him, to the eldest son of the house of Lothian for the time, as a distinct peerage for ever; by which entail, it is provided, that albeit the eldest son of that family bear the title of Lord Jedbrugh, and thereby have the privilege of a peer, yet it shall not prejudge him as to the precedency due to the eldest son of the family of Lothian.

Mackenzie's Collections, in Adv. Lib. and Carta in Pub. Arch. D.

Mag. Sig. L. lxii. No. 313.

Robert, third Lord Jedbrugh, had charters of the lands of Overcrailing and Rickleton, in Roxburghshire, 30th September 1678, and died on the 4th of August 1692, without issue by his wife, Christian, daughter of Sir Alexander Hamilton of Innerwick, relict of Sir Patrick Hume of Polwarth, who died 1648, and mother of the first Earl of Marchmont; whereby the title of Lord Jedbrugh and barony of Fernihirst, devolved on William, Lord Newbottle, who sat and voted as such in parliament. The representation of the family, in the male line, came to Robert, Earl of Lothian, descended from

L. lxvi. No. 170, 171.

X. Robert Kerr of Ancrum, third son of Sir Andrew Kerr of Fernihirst, (No. IX.) who got from his father a charter of the third part of the lands of Dirleton, 20th July 1538; and another of the lands of Woodhead, in Overancrum, in feu-farm, from the abbot of Jedbrugh, 7th July 1542. He also had a charter of the lands of Newton, in the barony of Bedrule, 17th November 1586; and died in February 1588, leaving, by Margaret, his wife, daughter of Home of Wedderburn, a son,

L. xxvi. No. 412. L. xxviii. No. 350. L. xxxvi. No. 233.

XI. William Kerr of Ancrum, who succeeded him, but did not enjoy the estate long, as he was assassinated by Robert Kerr, younger of Cessford, 1590, when the disputes about the seniority of the families of Fernihirst and Cessford run high. On this Archbishop Spottiswoode remarks: A hateful fact it was, for the manner in which it was done, and the loss the country received by this gentleman's death; for he was a man generally well given, wise, of great courage, and expert beyond others in the laws and customs of the borders. He married Margaret, daughter of Alexander Dundas of Fingask, by whom he had two sons,

Lothian.

Spottiswood, 283.

1. Sir *Robert*.

2. *William* Ker of Lintoun, a man of singular courage and intrepidity, who did his country such signal service on the borders, that King James VI. was pleased to settle on him a pension of L.1000 a-year for life. He obtained also from Charles I. a grant of the lands of Overtoun, being the escheat of Robert Ker, younger of Cessford, upon which he got charters under the great seal, 30th August 1625, and 13th March 1640. He was groom of the bedchamber to these two monarchs, and left a daughter, married to Lord Wharton.

Writs of Privy Seal. D.

Mag. Sig. L. ii. No. 20, 89.

XII. Sir Robert Kerr of Ancrum, the eldest son, was served heir of his grandfather, 12th May 1607, and had charters of the lands of Whitchester, 21st August 1611; of Jedwartfield, and the right of patronage of the parish of Ancrum, 20th June 1625; of the lordship and barony of Newbottle, 12th February 1631; and of the barony of Langnewton, 14th January 1632. He was a man of high honour, superior understanding and erudition, and of correct taste in the fine arts. He was the confidential friend of Charles I. who, when Prince of Wales, was the means of bringing about his marriage with Lady Anne Stanley. In 1620, he had the misfortune to kill in a duel, at Newmarket, Charles Maxwell, whose brother was a member of the King's family. This duel was forced upon him, insomuch, that even the nearest relations of the deceased bore him no ill-will for the act. He was, however, obliged to fly to Holland; but, in the course of the following year, was again received into the royal favour. King Charles I. constituted

Inq. Ret. in Publ. Arch. Mag. Sig. L. xlvi. No. 250. L. ii. No. 31. L. liii. No. 37, 83.

Lothian.

him one of the gentlemen of his bedchamber, 1625, and raised him to the dignity of the peerage, by the title of Earl of Ancrame, Lord Kerr of Nisbet, Longnewton, and Dolphington, by patent, dated 24th June 1633, with remainder to the heirs-male betwixt him and Lady Anne Stanley; which failing, to his other heirs-male, and their heirs-male for ever. His lordship was the steady and faithful friend of Charles, during all his troubles; and after his murder, was obliged to submit to a second banishment in Holland. There he passed the remainder of his days in solitary affliction and poverty, for he was removed from the sight of his wife and children, and had sacrificed all his means in the cause of his sovereign. His latter days were embittered by the reflection that his favourite son, the Earl of Lothian, had been in direct opposition to his master, during the first years at least of his persecution. But he bore with firmness, resignation, and piety, his undeserved lot, devoting the evening of his life to study, composition, and an uninterrupted correspondence with his family. He died at Amsterdam, in 1654, at the age of 76. In Park's edition of Walpole's Royal and Noble Authors, is a spirited portrait of his lordship, with a sonnet by him in praise of a solitary life. There is also a portrait of him in Pinkerton's Iconographia Scotica.

Mag. Sig. L. liv. No. 137. Robertson's Proceedings, 224.

His Lordship married, first, Elisabeth, daughter of Sir John Murray of Blackbarony, by whom he had a son,

William, Earl of Lothian.

Secondly, Lady Anne Stanley, only surviving daughter of William, sixth Earl of Derby, by Lady Elisabeth Vere, daughter of Edward, seventeenth Earl of Oxford. She was first married to Sir Henry Portman, of Orchard Portman, in the county of Somerset, who died without issue, 1621. By the Earl of Ancrum she had several daughters, and one son,

Charles, second Earl of Ancrum, who succeeded his father in that title, 1654; was elected member of parliament for the borough of Wigan in Lancashire, 1660, and represented it till 1689; he spoke frequently in the House of Commons, and had a pension of L.500 a-year. He sat in the parliament of Scotland, 1681; but dying without issue, his title devolved on the Earl of Lothian, and is now, by courtesy, borne by the eldest son of the Marquis of Lothian.

Lothian.

XIII. WILLIAM, third Earl of LOTHIAN, the eldest son of Robert, first Earl of Ancrum, married Anne, Countess of Lothian in her own right, with whom he got the lordship of Newbottle; he had a charter to him and Lady Anne Ker, his spouse, of that lordship, 31st July 1631; was created Earl of Lothian, 31st October 1631, the patent being fully narrated in a charter of the lands of Newbottle, 1634. He had a charter of the earldom of Lothian, 1st March 1634. When the differences betwixt the King and parliament began in 1638, the Earl of Lothian manifested great zeal for the covenant. After the pacification of Berwick, 1639, his lordship waited on the King at that place. Hostilities having commenced, 1640, his lordship was in the Scotish army that invaded England, defeated the royalists at Newburn, and took possession of Newcastle; of which the Earl of Lothian was constituted governor, with a garrison of 2000 men. He was appointed one of the four commissioners of the treasury, 1641; and the same year was one of those sent by the parliament of Scotland to concert with the English about quelling the Irish rebellion. An army being levied for that purpose, 1642, the Earl of Lothian had the command of a regiment conferred on him, with which he went over to Ireland. He had a charter of the lordship of Jedburgh, 5th March 1642. In 1643, the Earl of Lothian was sent from Scotland by the privy-council, with the approbation of Charles I., to make some propositions to the court of France relating to certain privileges of the Scotish nation. On his return, he repaired to the King at Oxford to render him an account of his embassy. There he was detained by his Majesty's order, under an ungrounded suspicion of treachery, and afterwards committed a close prisoner to Bristol castle, where he remained several months; but was at length enlarged on the petition of the committee of estates. In 1644, he commanded, with the Marquis of Argyll, the forces

Mag. Sig. L. liii. No. 79. L. liv. No. 223.

Guthrie's Memoirs, passim.

Mag. Sig. L. lvii. No. 197.

Loth. Fam. Arch.

Lothian.

sent against the Marquis of Montrose, whom he obliged to retreat, and then delivered up his commission to the committee of estates, receiving an act of approbation of his services. His lordship was president of the committee dispatched by parliament to the King, in December 1646, with their last propositions, which were refused. He protested against the "engagement," 1648; and when it was declared unlawful by parliament, in January 1649, his lordship was constituted secretary of state, in room of the Earl of Lanark, deprived by the act of classes.

As soon as it was known that the parliament of England intended to proceed against King Charles I. before the high court of justice, the Earl of Lothian was one of the commissioners sent to remonstrate, in the name of the kingdom of Scotland, against the using any violence or indignity upon the sacred person of the King. The Earl added, that the whole nation had the very thoughts thereof in the utmost abhorrence and detestation, and took a solemn protest against their proceedings; but all his honest endeavours proved ineffectual, for he was put under arrest, and sent with a guard to Gravesend, from thence to Scotland. On his return, he received the thanks of parliament for his conduct on this occasion; and he was, along with the Earl of Cassillis, dispatched to Breda, 1649, to invite King Charles II. into Scotland. His lordship died in the year 1675.

By Anne, Countess of Lothian, he had five sons and nine daughters;

1. *Robert*, fourth Earl of Lothian.

2. Hon. Sir *William* Kerr, who was appointed director of the chancery, 1661; his son, William Kerr, died in 1721, and was buried at Kensington, where is a monument to his memory.

3. Hon. *Charles* Kerr, ancestor of the Kerrs of Abbotrule.

4. Hon. *Harry* Kerr, died young.

5. Hon. *John* Kerr, died young.

1. Lady *Anne*, married to Alexander, Master of Salton, and was mother of the second Lord Salton.

2. Lady *Elisabeth*, married, 23d August 1649, to John, Lord Borthwick, without issue.

3. Lady *Jean*, died young.

4. Lady *Margaret*, died young.

Lothian.

5. Lady *Mary*, married to James Brodie of Brodie. The diary of Alexander Brodie of Brodie, one of the senators of the college of justice, contains this paragraph: "28th of July, my son was married with "Lady Mary Ker; and, on the 31st of Ju-"ly 1659, she did subscribe her covenant "to and with God, and became his, and "gave herself up to him."

6. Lady *Margaret*, married to James Richardson of Smeaton.

7. Lady *Vere*, married at Newbottle Abbey, 16th January 1668, to Lord Neil Campbell, of Ardmaddie, second son of Archibald, Marquis of Argyll. Newbottle Register.

8. Lady *Henrietta*, married, contract dated 27th November 1673, to Sir Francis Scott of Thirlestane, and died at Edinburgh 30th June 1741, æta. 90; her grandson, Sir Francis Scott, succeeded to the title of Lord Napier.

9. Lady *Lilias*, died unmarried.

XIV. ROBERT, fourth Earl of LOTHIAN, the eldest son, served as a volunteer in the Dutch war, 1673, and distinguished himself therein. He succeeded his father 1675; had a patent of the earldom of Lothian, to him and the heirs-male of his body, 23d October 1678, with the original precedency, and was sworn a privy-councillor, 4th January 1686. Entering heartily into the revolution, he was a privy-councillor to King William; was constituted justice-general; and represented the King as high commissioner to the General Assembly of the Church of Scotland, 1692. He had a charter of resignation of the lands, lordship, and earldom of Lothian, 9th August 1700; was advanced to the dignity of Marquis of Lothian, to him and the heirs-male of his body; which failing, to the other heirs of entail succeeding to him in his estate in all time to come, by patent, dated at Kensington 23d June 1701; and he died 15th February 1703. Mag. Sig. L. lxvi. No. 158. L. lxxvii. No. 10, 77.

He married Lady Jean Campbell, second daughter of Archibald, Marquis of Argyll; and by her, who died 31st July 1712, had ten children,

1. *William*, second Marquis of Lothian.

2. Lord *Charles* Kerr, who was appointed

director of the chancery, 1703; purchased the estate of King's Cramond, 1707, and disposed of it 1718; had a renewal of his commission as director of the chancery, 1722, to him and his son, Robert, during their joint lives. He died in 1735, having married Janet, eldest daughter of Sir David Murray of Stanhope, in the county of Peebles, bart. by Lady Anne Bruce, second daughter of Alexander, second Earl of Kincardine. By her, who died at Edinburgh, 26th November 1755, æta. 67, he had a numerous issue. 1. Robert Ker of Newfield, born 27th August 1707, conjoined with his father as director of the chancery 1722, and died 15th October, 1768, in the 62d year of his age. His relict, Eleonora Nugent, died at Ayr, 9th September 1795. His only son, Mark Kerr, captain in the 9th regiment of dragoons, died at Carlow, 20th August 1791, without issue; and he had four daughters: Charlotte, married at Ayr, 20th March 1771, to Major John Webster, and died at Ayr, 8th October 1804; Catherine, married, 20th May 1765, to James Ritchie, merchant in Glasgow, and died at Craigton, 24th September 1783; Jane Douglas, married, 31st March, 1775, to Dugald Campbell of Carradale; and Eleonora, married at Stair, 9th March 1768, to Walter Campbell of Shawfield. Her eldest son, John Campbell, younger of Shawfield, married Lady Charlotte Campbell, daughter of *John*, fifth Duke of Argyll. 2. William, born 11th January 1709, a captain in the 29th regiment of foot, an excellent officer, who died in Ireland, 18th June 1754, unmarried. 3. David, born 11th December 1709, died 18th March 1716. 4. Charles, a twin with David, died 1st April 1711. 5. Archibald, born 31st December 1710, died young. 6. Jean Janet, born 6th April 1712; married, 1st October 1760, to William, third Marquis of Lothian, and died without issue, 26th December 1787, æta. 76. 7. Mary, born 4th May 1713; married to Colonel Stewart of Stewartfield, and had one son. 8. Elisabeth, born 16th June 1714; married, 6th August 1750, to James Ker of Bughtrig, M. P. for the city of Edinburgh, and had issue, and died 21st February 1799, æta. 85. 9. Wilhelmina Carolina, born 13th July 1715; married to Alexander Kincaid, Esq. his Majesty's printer and stationer, provost of the city of Edinburgh, and had one son, and died 14th August 1774, æta. 60. 10. Margaret, born 14th September 1716, died young. 11. Veronica, a twin with Margaret, died at Edinburgh, 12th December 1768, unmarried. 12. Henrietta Anne, born 12th June 1718, died in 1794, unmarried. 13. John, born 9th August 1719, died young. 14. Mark, born 21st February 1721, died young.

Cramond Register.

3. Lord *John* Kerr, baptised at Newbottle, 1st April 1673, an officer in the army, in which he served with reputation and honour; had the command of the 31st regiment of foot conferred on him, 8th September 1715, and retained it till his death. He was buried at Kensington, 14th August 1728, in his 55th year, unmarried.

Newbottle Register.

4. Lord *Mark* Kerr, baptised at Newbottle, January 1676, a distinguished officer. His first commission, as captain, was dated 1st January 1693; he was wounded in the arm at the battle of Almanza, 25th April 1707; was lieutenant-colonel of the 15th regiment of foot; acted as a brigadier-general at the capture of Vigo; got the command of the 29th regiment of foot, 1712; of the 13th foot, 1725; and of the 11th regiment of dragoons, 29th May 1732, which he held till his death. He received the appointment of governor of Guernsey, 1740; of the castle of Edinburgh, 30th July 1745; major-general on the staff in Ireland, 1751; and ranked as general in the army from 1743. Dying at London, on the 2d of February 1752, in the 77th year of his age, unmarried, he was buried at Kensington on the 6th of that month. He was a man of a marked and decided character; with the strictest notions of honour and good-breeding, he retained, perhaps, too punctilious an observance of etiquette, as it gave him an air of frivolity. He was soldier-like in his appearance; formal in his deportment; whimsical, even finical, in his dress; but he commanded respect wherever he went, for none dared to laugh at his singularities. Manners which, in foreign courts, (where they had been acquired,) would have passed unobserved, were considered as fantastic in his own country, and were apt to lead his impatient spirit into rencontres too often fatal

Ibid.

Lothian. to his antagonists. Naturally of a good temper, his frequent appeals to the sword on trivial occasions, drew on him the imputation of being a quarrelsome man; but he was inoffensive unless provoked; and never meddled with any, but such as chose to meddle with him.

Newbottle Register. 5. Lord *James* Kerr, baptised December 1679, died unmarried.

1. Lady *Margaret*, baptised December 1670, died young.

2. Lady *Jean*, baptised December 1671, died young.

3. Lady *Mary*, baptised October 1674; married, 13th December 1692, to James, Marquis of Douglas; was mother of Archibald, created Duke of Douglas, and of Lady Jane Douglas Stewart, and dying at Edinburgh, 22d January 1736, æta. 62, was buried in the abbey church of Holyroodhouse.

4. Lady *Margaret*, baptised May 1678, died young.

5. Lady *Annabella*, baptised October 1682, died young.

XV. WILLIAM, second Marquis of LOTHIAN, the eldest son, steadily supported the revolution; succeeded to the title of Lord Jedbrugh, 1692; sat in the parliament of Scotland as such; had a charter to William, Lord Jedbrugh, of the lands of Nether Chatto in Roxburghshire, 8th March 1695; and was made colonel of the 7th regiment of dragoons, 1st October 1696. He succeeded his father, 1703, when his character was thus drawn by Macky: "He hath abundance of fire, and "may prove himself a man of business, "when he applies himself that way; laughs "at all revealed religion, yet sets up for "a pillar of presbytery, being very zea-"lous, though not devout. He is brave in "his person; loves his country and his "bottle; a thorough libertine, very hand-"some; black; with a fine eye; 45 years "old." He was invested with the order of the Thistle, 1705; was very active in bringing about the treaty of union, voting with its supporters on every question. He had the command of the 3d regiment of foot-guards conferred on him, 25th April 1707; and ranked as lieutenant-general in the army, 1708. At the election, 1708, he was chosen one of the sixteen representatives of the Scotish Peerage; but on account of informalities attending some of the votes for him, the House of Lords, 3d February 1709, ordered his name to be razed out of the return, and that of the Marquis of Annandale inserted. Being obnoxious to the Tory administration, he was deprived of the command of his regiment of guards, 1713. He was chosen one of the sixteen representatives of the Scotish peerage, 1715; had the appointment of major-general on the staff in Scotland; and dying at London on the 28th of February 1722, in the 61st year of his age, he was buried in King Henry VII.'s chapel in Westminster abbey, on the 6th of March, after lying in state in the Jerusalem Chamber. Lothian.

His Lordship married his cousin-german, Lady Jean Campbell, daughter of Archibald, Earl of Argyll, beheaded 1685, sister of the first Duke of Argyll, "in King "James's reign, when the family was out-"lawed, the estate forfeited, and the chil-"dren starving, purely out of a principle "of honour, believing they suffered wrong-"fully." They had five children, Macky's Memoirs.

1. *William*, third Marquis of Lothian.

1. Lady *Anne*, married to Alexander, seventh Earl of Home, and had issue.

2. Lady *Jean*, married to William, fifth Lord Cranstoun, and had issue, and died March 1768.

3. Lady *Elisabeth*, married to George, twelfth Lord Ross, and had issue, and died 22d May 1758.

4. Lady *Mary*, married to Alexander Hamilton of Ballincrieff, member of parliament for the county of Linlithgow, postmaster-general of Scotland, representative of the family of Innerwick; and died 17th November 1768; she had a daughter, Jean Douglas, married to Alexander Hay of Mordington; and four sons: 1. William Henry, died young. 2. James, keeper of his Majesty's stores, first at Chatham, then at Woolwich; and died 1798, leaving issue. 3. Alexander, fort-major at Sheerness; died 1786, leaving issue. 4. Colonel Archibald Hamilton, a steady loyalist, who commanded the Queen's County militia during the American war, and died 1795; his only surviving son, Alexander Mark

Kerr Hamilton, is lieutenant-colonel of the 5th West India regiment.

XVI. WILLIAM, third Marquis of LOTHIAN, the only son, was a peer in the lifetime of his father, voting at the election of representatives of the Scotish Peerage as Lord Jedburgh, 1712. He succeeded as Marquis of Lothian, 1722; was elected one of the sixteen representatives of the Scotish Peerage, on the vacancy occasioned by the death of the Earl of Delorain, 19th February 1731; re-chosen at the general elections 1734, 1741, 1747, and 1754, and thus sat in parliament thirty years. His lordship was invested with the order of the Thistle, 1734; represented King George II. as Lord High Commissioner to the General Assembly of the Church of Scotland from 1732 to 1738, both inclusive; was, in 1739, appointed, in room of the Earl of Selkirk, deceased, Lord Clerk Register of Scotland, which he resigned, in 1756, to the Hon. Alexander Hume Campbell; and died at Lothian House, Edinburgh, 28th July 1767, buried at Newbottle Abbey.

The Marquis married, first, Margaret, daughter of Sir Thomas Nicolson, of Kemnay, in the county of Aberdeen, Bart.; and, by her, who died at Newbottle Abbey, 30th September 1759, had two sons and one daughter:

1. *William Henry*, fourth Marquis of Lothian.

2. Lord *Robert* Kerr, who had a cornet's commission in the 11th dragoons, Lord Mark Kerr's, 1739; was afterwards captain of the grenadier company of Barrell's foot, and fell at the battle of Culloden, 16th April 1746. Standing at the head of his company when the rebels broke into the regiment, he received the foremost man on his spontoon, and was instantly killed with many wounds, being then in the bloom of youth, and extremely handsome.

3. Lady *Jane*, died young.

The Marquis married, secondly, 1st October 1760, his cousin, Jean Janet, eldest daughter of Lord Charles Kerr of Cramond, but had no issue by her, who survived him 20 years, and died at Lothian House, Canongate, 26th December 1787, in her 76th year.

XVII. WILLIAM HENRY, fourth Marquis of LOTHIAN, the eldest son, chusing the military line, had a cornet's commission, 1735; a company in the 11th foot, 1739; and in the first regiment of footguards, 1741. He acted as aide-de-camp to the Duke of Cumberland at the battle of Fontenoy, 30th April 1745, O. S. where he was severely wounded with a musket-ball in the head; and was promoted to the rank of colonel in the army, 4th June following. He was lieutenant-colonel of the 11th dragoons, Lord Mark Kerr's, 1745; commanded the cavalry on the left wing at the battle of Culloden, 16th April 1746, when his brother fell; after that victory he had the command of the forces at Aberdeen, and on the east coast of Scotland, till August. He again accompanied the Duke of Cumberland to the continent in December 1746; got the command of the 25th regiment of foot, 1747; and, in 1752, succeeded his brave grand-uncle, Lord Mark Kerr, as colonel of the 11th dragoons, which he retained to his death; attaining the rank of major-general in the army, 1755; lieutenant-general, 1758; and general, 1770. He served as a lieutenant-general, under the Duke of Marlborough, in his expedition to the coast of France, 1758. He was elected Member of Parliament for Richmond, 1747, in room of Sir Conyers D'Arcy, who made his election for the county of York, re-chosen at the general elections 1754 and 1761; resigned his seat, 1763, when the Earl of Holderness disposed of his estate there to Sir Laurence Dundas. Succeeding his father in 1767, he was chosen one of the sixteen representatives of the Scotish Peerage, in room of the Earl of Morton, P. R. S. deceased, 26th October 1768, was the same day invested with the order of the Thistle at James's; and died at Bath, 12th April 1775, aged 65 years.

His Lordship married*, in 1735, Lady Caroline D'Arcy, only daughter of Robert, Earl of Holderness, great-grand-daughter of Frederick, Duke of Schomberg and Leinster, (killed at the battle of the Boyne, 1690,) and of Charles Louis, Elector Pa-

* On the occasion of this marriage, he dropped the title of Lord Jedburgh, and took up that of Earl of Ancrum.

Lothian.

latine; and by her, who died in October 1778, had three children,

1. *William John*, fifth Marquis of Lothian.

2. Lady *Louisa*, married, at Dumfries, 25th December 1759, to Lord George Henry Lennox, only brother of Charles, third Duke of Richmond and Lennox, and is mother of Charles, the fourth Duke of Richmond and Lennox, lord-lieutenant of Ireland.

3. Lady *Willielmina Emilia*, married, at London, 2d January 1783, to Colonel John Macleod of the royal regiment of artillery, and has issue: Charles, Caroline, George, James, Louisa, Henry, Mary, Emily, and Georgina.

XVIII. WILLIAM JOHN, fifth Marquis of LOTHIAN, born 13th March 1737; had a cornet's commission in the 11th dragoons, his father's regiment, 26th June 1754; was successively lieutenant and captain in that regiment, captain of a troop of the 5th dragoons, major of the 18th dragoons, lieutenant-colonel of the 12th dragoons, the 4th regiment of horse, and the second troop of horse grenadier-guards. He succeeded his father, 1775; was invested with the order of the Thistle, 11th October 1776; and promoted to the command of the first troop of horse-guards, 19th December 1777. He was elected one of the sixteen representatives of the Scotish peerage, on the vacancy occasioned by the death of the Viscount of Irvine, 24th September 1778; and rechosen at the general elections, 1780 and 1784. The horse-guards being changed into life-guards, the Marquis of Lothian was constituted colonel of the first regiment of life-guards, 8th July 1788; but, on the important question of the regency, voting for the right of the Prince of Wales, and signing the protest to that effect, December 1788, he was, on the King's recovery, removed from his command, which occasioned a discussion in the House of Commons, 17th March 1789. He got the colonelcy of the 11th regiment of dragoons, so long in his family, 23d October 1798; and ranks as general in the army from the 14th May 1796.

His Lordship married, in Ireland, 9th June 1763, Elisabeth, only daughter of Chichester Fortescue of Dromisken, in the county of Louth, (by Elisabeth, daughter of Richard, Lord Mornington,) and by her, who was born 3d April 1745, and died in Portland Place, London, 30th September 1780, æta. 36, had issue,

1. *William*, Earl of Ancrum.

2. Lord *Charles Beauchamp* Kerr, born 19th July 1775; was an officer in the 10th regiment of dragoons, commanded by the Prince of Wales, now on half-pay. He married Elisabeth, daughter of William Crump of Farnham, in Surry, and has issue: 1. Charles William John, born September 1801. 2. Mark Henry James, born November 1802. 3. Caroline, born August 1804. 4. Beauchamp, born May 1806. 5. Charlotte, born June 1807. 6. Frances, born March 1809.

3. Lord *Mark Robert* Kerr, born 12th November 1776, who, entering into the sea-service, was an officer of the *Lion* of 64 guns, with Lord Macartney, in his famous embassy to China, 1792; was promoted to the rank of captain in the royal navy, 1797; was of essential service at the capture of the important island of Minorca, by the Hon. Lieutenant-General Charles Stuart, and Commodore Duckworth, in November 1798, commanding the Cormorant sloop of war; and afterwards had the command of the Fisgard frigate. He married, 18th July 1799, Lady Charlotte Macdonnel, born 11th February 1778, third daughter of Randal William, Marquis of Antrim, and sister of Lady Anne Catherine, Countess of Antrim, and has issue, 1. Letitia Louisa, born May 1800. 2. Sidney, born May 1801; died young. 3. William, born August 1802. 4. Mark, born August 1803; died young. 5. Georgina, born July 1806. 6. Caroline, born July 1807. 7. Schomberg, born April 1809.

4. Lord *Robert* Kerr, born 14th September 1780, a captain in the army, aide-de-camp and military secretary to Viscount Cathcart, commander-in-chief of the forces in Scotland. He married Mary, daughter of the Rev. Edward Gilbert of Windsor House, in the county of Cornwall, and has issue: 1. Elisabeth Anne, born 16th May 1807. 2. Louisa Grace, born 15th September 1808. 3. William Walter Raleigh, born 20th November 1809.

Lothian.

Lothian.

1. Lady *Elisabeth*, born 2d September 1765; married, 20th November 1794, to the Hon. John Evelyn Dormer, second son of Charles, eighth Lord Dormer.

2. Lady *Caroline Sydney*, born 8th September 1766.

3. Lady *Mary*, born 5th December 1767; married, at Twickenham, 8th December 1788, to the Hon. Colonel Frederick St John, second son of Frederick, Viscount Bolingbroke; and died 6th February 1791, leaving a son.

4. Lady *Louisa*, born 30th November 1768; married, 2d June 1793, to Arthur Atherley, Esq. of Southampton, and has issue: Arthur, Louisa, Sidney, Mark, and Charles.

5. Lady *Harriet*, born 12th October 1770; died young.

XIX. WILLIAM, Earl of ANCRUM, the eldest son, born 4th October 1763; was an officer in the army, and afterwards had the command of the Mid-Lothian fencible cavalry, which volunteered their services first for Ireland, and afterwards for any part of Europe; and they were actively employed in the suppression of the Irish rebellion, 1798.

His Lordship married, first, at Mary-lebone, 14th April 1793, Lady Henrietta Hobart, (born 7th April 1762) eldest daughter of John, second Earl of Buckinghamshire. Her Ladyship was first married, March 1780, to Armar Lowry Corry, Member of Parliament for the county of Tyrone, created successively Baron, Viscount, and Earl Belmore; and by her, who died in New Norfolk Street, Grosvenor Square, London, 14th July 1805, æta. 44, buried, 13th August, at Newbottle Abbey, the Earl of Ancrum had issue,

1. *John William Robert*, Lord Newbottle, born 1st February 1794.

2. Hon. *Schomberg Robert* Kerr, born 15th August 1795.

3. Lady *Isabella Emily Caroline*, born 7th December 1797.

4. Hon. *Henry Francis Charles* Kerr, born 17th August 1800.

His Lordship married, secondly, at Dalkeith House, 1st December 1806, Lady Harriet Montagu, born 1st December 1780, youngest daughter of Henry, third Duke of Buccleuch, and has issue,

1. Lady *Elisabeth Georgina*, born at Newbottle Abbey, 25th September 1807. Lothian.

2. Lady *Harriet Louisa Anne*, born at Newbottle Abbey, 19th October 1808.

3. Lady *Frances*, born at Newbottle Abbey, 9th October 1810.

TITLES.—William John Kerr, Marquis of Lothian, Earl of Lothian and Ancrum, Viscount of Brien, Lord Ker of Newbottle, Morphet, Oxnam, Jedburgh, Dolphingston, Nisbet, and Long-Newton.

CREATIONS.—Lord Newbottle, 15th October 1591. Earl of Lothian, 10th February 1606. Lord Jedburgh, 2d February 1622; confirmed 11th July 1670, to the heirs male of the body of the third Lord; which failing, William, Master of Newbottle, and the heirs male of his body; which failing, to the heirs whatever of the said Master of Newbottle, with precedency from 2d February 1622. Earl of Ancrum, Lord Ker of Nisbet, Long-Newton, and Dolphingston, 24th June 1633, with remainder to the heirs male of the first Earl, and Lady Anne Stanley, his second wife; whom failing, to the other heirs male of the said first Earl, and their heirs male. Marquis of Lothian, Earl of Ancrum, Viscount of Brien, Lord Ker of Newbottle, Oxnam, Jedburgh, Dolphingston, and Nisbet, 23d June 1701, to the first Marquis, and the heirs male of his body; which failing, to the other heirs of entail, succeeding to him in his estate in all time to come.

ARMS.—Quarterly: 1st and 4th, Azure, the sun in its splendour, proper, as a coat of augmentation. 2d and 3d, Gules, on a chevron, argent, three mullets of the field, for Kerr.

CREST.—The sun in its splendour.

SUPPORTERS.—Dexter, an angel, with wings displayed, proper; sinister, an unicorn, argent, unguled, maned, and horned, Or, collared, gules.

MOTTO.—*Sero sed serio.*

CHIEF SEATS.—Newbottle Abbey, in the county of Edinburgh, and Mount-Teviot Lodge, in the county of Roxburgh.

CAMPBELL, EARL OF LOUDOUN.

Loudoun.

THE barony of Loudoun, in Ayrshire, which gives title to this noble branch of the family of Argyll, belonged, in the reign of King David I., to one Lambinus, who was father of James de Loudoun, Dominus de eodem, who got a charter of the barony of Loudoun, and other lands, from Richard de Morville, constable of Scotland, Jacobo, filio Lambini; also a charter from William de Morville, Jacobo de Loudon, of the same barony, both in the reign of King William I.; his armorial bearing was, argent, three inesutcheons, sable. He left an only daughter, Margaret de Loudoun, his sole heiress, who married Sir Reginald Crawford, heritable sheriff of the county of Ayr, who, in consequence quartered the arms of Loudoun with his own. He witnessed a donation of David de Lindsay to the monastery of Newbottle, confirmed by Alexander II. 1220. They had a son,

Pref. to Dalr. Coll. 65, and Carta penes Com. de Loudou. D.

Nisbet, I. 373.

Chartul. of Newbottle, 19. D.

II. HUGH CRAWFORD of Loudoun, sheriff of Ayr, who, in a charter of Walter, son of Alan, high-steward of Scotland, of a donation to the monastery of Paisley, of the lands of Dalmullin, in 1226, is designed Hugo, filius Reginaldi. He died in the end of the reign of King Alexander II., leaving a son,

Chartul. of Paisley, Dalrymple, &c. D.

III. HUGH CRAWFORD of Loudoun, sheriff of Ayr, who had a letter of safe conduct to go into England, 1255. He had a daughter, Margaret, married to Sir Malcolm Wallace, knight, mother of the renowned Sir William Wallace, and a son,

Rymer, I. 509. D. Dalrymple. Abercrombie, I. 523.

IV. Sir REGINALD CRAWFORD of Loudoun, sheriff of Ayr, who witnessed a charter of donation of James, high-steward of Scotland, to the monastery of Paisley, 1288. He was one of the nominees on the part of Bruce, in his competition for the crown of Scotland with Baliol, 1292, swore fealty to King Edward I. 1296; and was murdered by the English garrison at Ayr, in 1297, leaving, by Cecilia, his wife, a son,

Chartul. of Paisley. D.

Fœdera, II. 553. D.

Prynne, III. 662. D. Crawf. Peer. 283.

V. Sir REGINALD CRAWFORD of Loudoun, sheriff of Ayr, a strenuous defender of the liberties of Scotland against foreign oppressors, who lost his life in the service of his country, 1303, leaving an only child,

Loudoun. Crawf. Peer. 283.

VI. SUSANNA CRAWFORD of Loudoun, his sole heiress. She married Sir Duncan Campbell, son of Sir Donald Campbell, second son of Sir Colin More Campbell of Lochow, ancestor of the Dukes of Argyll. Sir Donald had from King Robert I. a grant of half of the lands of Redcastle, in Forfarshire, forfeited by Henry Percy and Ingraham de Umphraville. His son, Sir Duncan, had, from the same monarch, a charter to Duncan Campbell, knight, and Susanna, his wife, of the lands of Lowdon and Stevenstoun, in Cunningham, to be held in one entire and free barony, by them and the heirs procreated betwixt them; which failing, to the said Susanna and her nearest heirs, dated at Penycook, 4th January 1318. Sir Duncan Campbell also had the heritable sheriffship of Air, in right of his wife, and marshalled the arms of Loudoun and Crawford with his own. They had a son,

Robertson's Index, 18.

Reg. Mag. Sig. 8.

VII. Sir ANDREW CAMPBELL of Loudoun, sheriff of Ayr, who accompanied King David II. in his unfortunate expedition into England, and was taken prisoner with his Majesty at the battle of Durham, 17th October 1346. He remained a prisoner till the King was set at liberty, 1357; had a grant of half of the lands of Redcastle from David, as appears from a charter of that monarch to Robert Stewart of Schanbothy of that half, quam concessimus Andreæ Cambell, militi, et quam idem Andreas nobis, apud Strivelyne, 4 Martii 1367, resignavit. He died in the reign of King Robert II., leaving a son,

Dalr. Ann. III. 110. Fœdera, V. 534, 586, 574.

Carta penes Com. de Loudouns. D.

Reg. Mag. Sig 57.

VIII. Sir HUGH CAMPBELL of Loudoun, who witnessed a charter of Johanna

Ibid. 228.

Loudoun. de Keth of Gallystoq, 11th December 1406, under the *designation* of Hugh Campbell, Lord of Lowdoun. One of the witnesses to that charter is Willielmus de Conynghame, tempore illo Vicecomes de Are, which would indicate that the office of sheriff of Ayr was not then hereditary in the Loudoun family. He was one of the barons of Scotland nominated to meet King James I. at Durham, 1423; and he left a son,

Fœdera, X. D.

IX. George Campbell of Loudoun, who was one of the hostages for the ransom of King James I. 1424, when the annual revenue of George, eldest son and heir of Hugh Campbell, was estimated at 300 marks.

Pinkerton, I. 456.

X. Sir John Campbell of Loudoun, knight, was one of those who accompanied Margaret of Scotland into France, on her marriage with Louis the Dauphin, 1436. In the great-seal register, there is a confirmation of a charter by Alicia Campbell, wife of the deceased John Campbell of Loudoun, knight, for the support of two chaplains, in a chapel on the banks of the river of Irvine, 2d January 1451-2. He was probably son of George Campbell, and brother of

Fordun, II. 485.

Mag. Sig. L. iv. No. 260.

X. Sir George Campbell of Loudoun, knight, who had a charter, to George Campbell of Loudon, of the office of sheriff of Ayr, 16th May 1450. He had a son,

L. iv. No. 24.

XI. Sir George Campbell of Loudoun, who had a charter to George Campbell, knight, son and heir apparent of George Campbell of Loudoun, knight, sheriff of Ayr, of the lands of Duchray, in King's Kyle, Benquhol, and Dalnarton, in Ayrshire, and Kittomure, in the barony of Stanhouse, in Lanarkshire, from Alexander Livingston of Duchray, in excambion for Cowlath and Edingham, in the stewartry of Kirkcudbright, 19th July 1465 *. His son,

L. vi. No. 9.

* A charter was granted, 17th December 1476, to John Campbell, filio carnali Georgii Campbell, militis, et hæredis Georgii Campbell de Loudoun, and the heirs male of his body; remainder to Thomas, brother-german of John; remainder to Robert, brother-german of John and Thomas, by the said George Campbell, knight, of the lands of Corshill, Ruchill, and Newlands, in Ayrshire. Mag. Sig. L. xi. No. 49.

XII. George Campbell of Loudoun, had a charter to Georgio Campbell, filio et hæredi Georgii Campbell de Loudon, militis, of the office of sheriff of Ayr, on his father's resignation, 4th July 1489; and another, erecting Newmills into a burgh of barony, 9th January 1490-1. He married, first, as is said, a daughter of Gilbert, Lord Kennedy, and had issue,

Loudoun. Mag. Sig. L. xii. No. 57, 179.

1. Sir *Hugh*.

2. *George*, whose son, George, had, from his cousin, Hugh Campbell of Loudoun, a charter of Brintwood, in Ayrshire, dated 31st July 1537, wherein he is designed son of the deceased George Campbell, uncle of Hugh. He was ancestor of the Campbells of Killoch.

L. xxvi. No. 40.

1. *Isabel*, married to Robert, Lord Erskine.

2. *Margaret*, married to Sir Alan Lockhart of Lee.

He married, secondly, Marion Auchinleck, one of the daughters and coheirs of Auchinleck of Auchinleck; and by her, who married, secondly, William Cunningham, had one child,

Annabella, married, first, to Thomas Boswell of Auchinleck, killed at Flodden, 9th September 1513. They had one son, David Boswell of Auchinleck, who married Lady Janet Hamilton, youngest daughter of James, first Earl of Arran, and sister of James, Duke of Chatelherault, and from him descends Alexander Boswell, now of Auchinleck †. Annabella Campbell mar-

† This second marriage of George Campbell of Loudoun is documented by a decreet, obligingly communicated to the editor by Alexander Boswell of Auchinleck, dated 6th March 1504, when there appeared Hew Campbell of Loudoun, sheriff of Ayr, on the one part, and Marion Auchinleck, Lady of Loudoun, and William Cunningham, her spouse, on the other part. The said Hew, in presence of the lords, obliged himself to pay to the said Marion and William, the sum of 230 marks, owing to them for the assedation made by them to the said Hew of the said Marion's terce, and third part of the lands pertaining or that may pertain to her, by the decease of umquhile George Campbell of Loudoun, sheriff of Ayr, her spouse, after the tenor of an indenture made between the said Hew, and Marion and William, dated at Edinburgh, 7th March 1502.

ried, secondly, John Cunningham of Caprington. They had a charter, 26th May 1525.

XIII. Sir HUGH CAMPBELL of Loudoun, sheriff of Ayr, the eldest son, had charters of the barony of Mertname, in Ayrshire, including Kerse, Keirsmayn, and Skeldon, 22d April 1505; of the dominical lands of Mertname, to him and Isobel Wallace, his wife, 10th October 1505; of the lands of Bruntwood, in Ayrshire, to them, 26th March 1505-6. The scheref of Air sat in parliament, 3d February 1504-5. Sir Hugh Campbell died in 1508, having married Isabel, daughter of Sir Thomas Wallace of Craigie, by whom he had a son,

Mag. Sig. L. xiv. No. 137, 147, 412.

Rec. Parl. 419.

Sir *Hugh*;—and four daughters,

1. *Helen*, married to Laurence Crawford of Kilbirny.

2. *Isabel*, married to Mungo Muir of Rowallan.

3. *Janet*, married to John Campbell of Cessnock.

4. *Margaret*, married to Thomas Kennedy of Bargeny.

XIV. Sir HUGH CAMPBELL of Loudoun, sheriff of Ayr, the only son, had charters, wherein he is designed Hugh Campbell of Loudoun, sheriff of Ayr, of the lands of Garvanehead, Turnbery, half of Traboyny, in Carrick, with the forest of Buthane, in the shire of Wigton, 13th May 1526; of Wester Loudoun, 20th August 1533; of lands in the barony of Loudoun, to him and Margaret Stewart, his wife, 14th October 1533; and of Loudounhill, 20th December 1542. He obtained a remission in parliament, 12th December 1544, for all crimes of treason by him committed previous to that date, for the true and thankful service done and to be done by him. He had charters of Trabeauch and Clonesaing, in Ayrshire, Hugone Campbell de Loudoun, vicecomiti de Ayr, familiari servitori Reginæ, 24th May 1545; of Torrinzean, in King's Kyle, 6th August 1546; of the Mains of Loudoun, to him and Agnes Drummond, his wife, 26th July 1550; of the lands of Spangok, in Renfrewshire, 1st July 1552; of Auchinroglen and Fern, in Ayrshire, 30th September 1553; and

Mag. Sig. L. xxi. No. 5. L. xxv. No. 40, 61. L. xxix. No. 192, 239, 387. L. xxx. No. 515. L. xxxi. No. 219. L. xxxii. No. 661.

Rec. Parl. 680.

died in February 1561. He married, first, Lady Elisabeth Stewart, second daughter of Matthew, second Earl of Lennox, by whom he had a son,

Sir *Matthew*;—and a daughter,

Marion, married to Sir James Carmichael of Hyndford.

He married, secondly, Agnes, daughter of Sir John Drummond of Innerpeffry, without issue.

XV. Sir MATTHEW CAMPBELL of Loudoun, sheriff of Ayr, the only son, had charters of several lands in Ayrshire, from Michael, commendator of Melrose, 30th January 1564-5; and from Gavin, commendator of Kilwinning, 20th January 1564-5. He had also a charter of Loudoun-hill, 23d April 1570. He promoted the reformation; was taken prisoner at the battle of Langside, fighting on the side of Queen Mary, and died about 1572. He married Isabel, daughter of Sir John Drummond of Innerpeffry, and had issue,

Mag. Sig. L. xxxii. No. 51, 145.

1. Sir *Hugh*.

2. *Matthew*, who signalized himself in the wars in Germany, settled in Livonia; assumed the name of Loudoun, from the family designation; and was ancestor of Count Loudoun, a field-marshal in the imperial army.

1. *Jean*, married, first, to Robert Montgomery of Giffen, Master of Eglintoun, and had one daughter; secondly, to Ludovick, second Duke of Lennox, without issue.

2. *Margaret*, married to Thomas, fifth Lord Boyd, and had issue.

3. *Marion*, married to Sir John Wallace of Craigie.

4. *Agnes*, married to William Cunningham of Caprington.

5. *Isabel*, married to William Crawford of Lochnorris.

6. *Anne*, married to Robert, first Lord Kirkcudbright.

7. *Annabella*, married, first, to David Ker of Kerslaud; secondly, to David Dunbar of Enterkin.

XVII. Sir HUGH CAMPBELL of Loudoun, sheriff of Ayr, the eldest son, was sworn a privy-councillor, and created a lord of parliament, by the title of Lord Campbell of Loudoun, 30th June 1601. He

Carmichael's Tracts, 27.

Loudoun.

had a charter of the lands of Kylesmure and Barnwell, in Ayrshire, 30th June 1608; of the barony of Grugar, 27th July 1613; of the barony of Loudoun, united into the lordship of Loudoun, 3d December 1613; and died 15th December 1622. He married, first, in 1572, Margaret, daughter of Sir John Gordon of Lochinvar, by whom he had a son,

Mag. Sig. L. xlv. No. 208. L. xlvii. No. 157, 195.

George,—and three daughters,

1. *Juliana*, married to Sir Colin Campbell of Glenurchy, without issue.

2. *Isabel*, married to Sir John Maxwell of Pollock.

3. *Margaret*, married to John Kennedy of Blairquhan.

He married, secondly, Lady Isabel Ruthven, daughter of William, Earl of Gowrie, the divorced wife of Sir Robert Gordon of Lochinvar, by whom he had two daughters, one married to Sir David Cunningham of Cunninghamhead, the other to David Crawford of Kerse. He married, thirdly, Margaret, daughter of Sir David Home of Wedderburn, without issue.

XVIII. GEORGE, Master of LOUDOUN, the only son, died before his father, in 1612, leaving, by his wife, Lady Jean Fleming, eldest daughter of John, first Earl of Wigton, to whom he was married in 1603, two daughters,

1. *Margaret*, Baroness of Loudoun.

2. *Elisabeth*, married to Sir Hugh Campbell of Cessnock. Margaret, Baroness of Loudoun, and Elisabeth, her sister, were, 22d November 1626, served heirs portioners of Sir Duncan Campbell, knight, great-grandfather of Sir Hugh Campbell, knight, great-grandfather of Sir George Campbell of Loudoun, great-grandfather of Sir Matthew Campbell of Loudoun, knight, their great-grandfather. Margaret, Baroness of Loudoun, married Sir John Campbell of Lawers, who derived his descent from

Inq. Ret. in Pub. Arch.

I. JOHN CAMPBELL, only son of Sir Colin Campbell of Glenurchy, by his last wife, Margaret, daughter of Luke Stirling of Keir. He got the estate of Lawers in patrimony from his father, and married Agnes, daughter of Moncrieffe of Moncrieffe, in Perthshire, by whom he had three sons,

Crawf. Off. St. 195.

1. *James*.
2. *John*.
3. *Archibald*.

Loudoun.

II. JAMES CAMPBELL of Lawers, the eldest son, had a charter from King James V., dated 16th June 1525, erecting the lands of Lawers into a free barony, narrating, that these lands had formerly been given by King James III. to Sir Colin Campbell of Glenurchy, grandfather of James, and the heirs male betwixt him and Margaret Stirling, his wife, grandmother of James, for the good and faithful service of Sir Colin in arresting and seizing Thomas Chalmer, traitor, who was concerned in the cruel murder of King James I. The charter was to him, and Mariot Forrester, his wife, for life; remainder to Archibald Campbell, son and heir apparent of James, John, Duncan, and Edward, brothers of Archibald, John and Archibald, brothers of James, and the heirs male of their bodies respectively; remainder to the nearest heirs male legitimately descending from the said Sir Colin Campbell of Glenurchy deceased. James Campbell of Lawers, had charters to him and Mariot Forrester, his wife, in liferent, remainder to John, their son, of Fordew, Glentarkane, and Balmuck, in Strathern, 29th January 1525-6; and to him and Jonet Gray, his wife, of Auchinreoch, in the lordship of Glendochard, in Perthshire, 3d March 1530-1. A charter was granted of Auchinreoch, Lawers, &c. in Perthshire, 4th June 1540, to James Campbell of Lawers; remainder to Archibald, his son and heir apparent, John, Duncan, and Edward, brothers of Archibald. He married, first, Mariota, daughter of Sir Duncan Forrester of Garden. They had, 3d August 1525, a parliamentary ratification of the charter of Lawers of 16th June preceding. By her he had five sons,

Crawf. Off. St. 195.

Mag. Sig. L. xx. No. 151. L. xxi. No. 100. L. xxix. No. 34. L. xxvii. No. 127. L. xxix. No. 202.

Rec. Parl. 555.

1. *Archibald*.
2. *John*.
3. *Duncan*.
4. *Edward*.
5. *Walter*. [qu.?]

He married, secondly, Janet Gray, by whom it does not appear he had any children*.

* There is some degree of confusion respecting the descent of the Campbells of Lawers. In the Public

Loudoun.

Crawf. Off. St. 195.

III. Archibald Campbell, the eldest son, had a charter to Archibald Campbell, son and heir apparent of James Campbell of Lawers, and Agnes Ross, his wife, 9th May 1542. By his wife, Agnes, daughter of John Ross of Craigie, he had a son,

Ibid.

IV. Sir John Campbell of Lawers, a very worthy gentleman, highly honoured both in the court and country, who was knighted at the coronation of Queen Anne, 1590. He married Beatrix, eldest daughter of Sir Colin Campbell of Glenurchy, by whom he had three sons,

1. Sir *James*.

2. *Colin*, who had a charter of the barony of Aberuchill, in Perthshire, 1596. His son, Sir James Campbell, was created a baronet, 1627, and was ancestor of the Campbells of Aberuchill, whose descent may be seen in the work quoted in the margin.

Dougl. Bar. 57.

3. *Archibald*, prior of Strathfillan, who had a charter to Archibald Campbell, legitimate son of the deceased John Campbell of Lawers, of Ardcarden, &c. in Tarbert, 14th February 1611.

Mag. Sig. L. xlvi. No. 273.

V. Sir James Campbell of Lawers, the eldest son, was much in favour of King James VI., and no less esteemed than any of his ancestors, for his personal worth and merit. He had a charter of Ardrossan and Lokkoth, 21st August 1612; and married Jean, daughter of James, first Lord Colvill of Culross, by whom he had issue,

L. xlvii. No. 38.

1. Sir *John*.

L. l. No. 225.

2. Sir *Archibald*, who had a charter, Domino Archibald Campbell, brother-german of Sir John Campbell of Lawers, of the lands of Kingart, 23d January 1623.

Register, is a charter to Duncan Campbell, son of James Campbell of Lawers, and the heirs male of his body; remainder to John Campbell, brother of James; remainder to the heirs of the deceased Colin Campbell of Glenurchy, great-grandfather (proavus) of the said James, of the lands of Auchinreoch, Drumcross, half of Lawers, and other lands, erected into a free barony. This charter is incomplete, not being dated; but is among those of 1546. Mag. Sig. L. xxx. No. 63. There is a charter of part of the barony of Monze, in Perthshire, to James Campbell of Lawers, and Isobel Hay, his wife, dated 19th March 1553-4. L. xxxi. No. 42.

Daughter, married to David Dunbar of Enterkin.

Loudoun.

VI. Sir John Campbell, the eldest son, born 1598, had an education suitable to his birth, both at home and in foreign parts. He was knighted by King James VI.; and, in 1620, married Margaret, Baroness of Loudoun, as already mentioned. A charter was granted to Sir John Campbell, younger of Lawers, and his wife, of Sorne, &c. in Ayrshire, 8th March 1620; and another, to Lady Margaret Campbell, of the lands of Hudstein, and to Sir John Campbell, of the barony of Loudoun, 26th July 1620. He was created Earl of Loudoun, Lord Farrinyean and Machline, by patent, dated at Theobald's, 12th May 1633, to him and his heirs-male for ever; but his Lordship joining the opposition against the court, the patent was, by a special order, stopped at the chancery, and the title superseded till 1641. A charter was granted to John, *Lord* Loudoun, and his wife, of the barony of Kylismure, 15th March 1634. His lordship was one of the commissioners from the Scotish army, who settled, with King Charles I., the pacification of Berwick, 1639. Being one of the commissioners sent by the parliament to London, 1640, his Lordship was committed to the Tower by the King's order, on account of a letter signed by him and other noblemen to the King of France imploring his assistance; and a warrant was sent for his execution, without a trial, but prevented from being carried into effect by the Marquis of Hamilton. His Lordship, being released, accompanied the Scotish army into England in August 1640, and was one of the commissioners for the treaty of Ripon.

Mag. Sig. L. xlix. No. 375. L. liv. No. 181, 336.

When the King came down to Scotland, 1641, the Earl of Loudoun had his title allowed, with precedency from 1633; and he was appointed high chancellor of Scotland, and first commissioner of the treasury, 30th September 1641. His Lordship bore a principal part in the subsequent transactions; and was along with the Earls of Lauderdale and Lanark, sent to treat with the King in the Isle of Wight, 1647. The result of this treaty was the engagement for the rescue of his Majesty, 1648,

Loudoun. in which his Lordship concurred, and was chosen president of the Parliament where it was settled; but, disgusted at the violence and insincerity of his associates, he abandoned it. He was, however, obliged to do public penance for his original accession to that measure. After the defeat of King Charles II. at Worcester, the Earl of Loudoun retired to the Highlands, where he joined the Earl of Glencairn and the royalists, 1653. His lordship, and his son, Lord Machline, were excepted out of Cromwell's act of grace and pardon, 1654, by which L.400 a-year was settled out of his estates on his countess and her heirs. The Earl of Loudoun afterwards submitted to General Monk, and lived quietly till the restoration. His Lordship died at Edinburgh, 15th March 1663, and was buried in the church of Loudoun.

By Margaret, Baroness of Loudoun, his wife, he had issue,

1. *James*, second Earl of Loudoun.

2. Hon. *George* Campbell, died unmarried.

1. Lady *Jean*, married to George, second Earl of Panmure, and had issue.

2. Lady *Anne*, married, 30th October 1649, to John, third Lord Balmerinoch, and had issue, and died January 1666.

XX. James, second Earl of Loudoun, the eldest son, not concurring in the measures of government, in the reign of King Charles II., went abroad, and died at Leyden in 1684. He married Lady Margaret Montgomery, second daughter of Hugh, seventh Earl of Eglintoun, and had issue,

Fountainhall, I. 308.

1. *Hugh*, third Earl of Loudoun.

2. Hon. Colonel *John* Campbell of Shankstoun, who died without issue.

3. Hon. Sir *James* Campbell of Lawers, K. B., of whom afterwards.

1. Lady *Margaret*, married to Colin, third Earl of Balcarres, and had issue.

2. Lady *Jean*, married to Sir James Campbell of Aberuchill, Bart.

3. Lady *Christian*, married to George Ross of Galstoun.

4. Lady *Eleanor*, married, first, to James, first Viscount of Primrose, and had issue; secondly, to John, second Earl of Stair, without issue, and died in November 1759. Loudoun.

XXI. Hugh, third Earl of Loudoun, succeeded his father, 1684; took the oaths and his seat in parliament, 8th September 1696; was sworn a privy-councillor in April 1697; was a candidate for the vacant office of extraordinary lord of session, 1698; concerning which the Earl of Argyll wrote to Mr Carstares, 27th September 1698, Pray let not E. Melvill's unreasonable pretending to the vacant gown, make you slack as to E. Loudoun, who, though a younger man, is an older and more noted presbyterian than he. Loudoun has it in his blood; and it is a mettled young fellow, that those who recommend him will gain honour by him. He has a great deal of natural parts; a good stock of clergy; and, by being in business, will daily improve. He obtained that office, 7th February 1699, and held it till his death. In that place he behaved to all mens' satisfaction, studying to understand the laws and constitution of the kingdom, and to determine accordingly. He was endowed with good natural parts, and had much improven them in his younger years by reading; and though he did not much affect to shew them in public, yet there were few exceeded him in contriving and carrying on a design, having a clear judgment and ready apprehension. He was of all persons concerned in the government, without doubt, among the best; he had nothing in his nature that was cruel or revengeful; was affable, courteous, and just betwixt man and man; and though he pursued his own maxims and designs, it was in a moderate and gentlemanny way. After the accession of Queen Anne, he was, in 1703, sworn a privy-councillor; appointed one of the commissioners of the treasury, and a knight of the thistle, 1704; one of the secretaries of state for Scotland, 1705; and one of the commissioners for the treaty of union. He resigned his titles into the hands of the Queen, 7th February 1707; and her Majesty, by her royal sign manual of the same date, ordained a patent and charter to be expede under the great seal, granting the titles to Hugh, Earl of Loudoun, and the Carnwath, 98.

Mag. Sig. L. lxxxii. No. 128.

Loudoun.

heirs-male of his body; which failing, to the heirs whatsoever, descending of the body of the deceased John, (first) Earl of Loudoun; which failing, to the heirs-male whatsoever of the said John, Earl of Loudoun, 8th February 1707. The secretary's office being abolished, his Lordship, 25th May 1708, produced to the Lords of Session his patent and commission to be keeper of the great seal of Scotland, the lord chancellor's office being now at an end, and Lord Cowper, chancellor of England, being for the whole island, the patent bearing to continue during the Queen's pleasure, and until she revoke it by writ, and a pension of L.2000 yearly, besides the emoluments and profits of the seal. Not complying with the measures of the Tory administration, he was deprived of that office in 1713. On the accession of the Brunswick line, next year, he was sworn a privy-councillor, and constituted lord lieutenant of Ayrshire; served as a volunteer under the Duke of Argyll at the battle of Sherriffmuir, 1715, where he behaved with great gallantry; represented George I. and II. as Lord High Commissioner to the General Assembly of the Church of Scotland, 1722, 1725, 1726, 1728, 1730, and 1731; and had a pension of L.2000 per annum settled on him for life in 1727. He was chosen one of the sixteen representatives of the Scotish Peerage by the Parliament of Scotland, 1707, and re-chosen at every general election, (1708, 1710, 1713, 1715, 1722, and 1727,) till his death, which happened 20th November 1731.

His Lordship married, 6th April 1700, Lady Margaret Dalrymple, born 4th February 1677, only daughter of John, first Earl of Stair. Besides her personal charms, which were very considerable, she had acquired a large portion of those mental and liberal accomplishments which so much adorned the brilliant court of Queen Anne; and possessed, moreover, in a high degree, that dignity of character and deportment, and that vigorous and active spirit, by which her gallant brother was so eminently distinguished. In 1727, her ladyship fixed her residence at Sorn Castle in Ayrshire, the vicinity of which was in a very uncultivated state, and the whole aspect of the country dreary and comfortless. In a soil and climate where roads and shelter were peculiarly necessary, not a single road or hedge, and very few trees were to be seen. Not discouraged by these unfavourable circumstances, she determined to create a scene more congenial to her own taste, and more like those to which she had been accustomed in a better country. Accordingly her skill and activity gradually produced an agreeable change. Besides enlarging the garden and orchard, she subdivided an extensive farm which she occupied herself, inclosed it with hedges and hedge-rows, interspersed with belts and clumps of planting. Through the whole extent of her farm, she likewise adorned the banks of the river, and of the rivulets with walks and plantations. These operations she herself carefully superintended, and many, both of the fruit and forest trees, were actually planted and pruned with her own hands, and still remain pleasing monuments of her laudable industry. These her useful labours did not pass unrewarded. When she first settled in that country, her constitution and health appeared to be entirely broken; but, in the course of her rural occupations, they were gradually re-established, in so much that, during the last thirty years of her life, she enjoyed an uncommon degree of health and cheerfulness. After an illness of a few days, she died on the 3d of April 1777, in the 100th year of her age, regretted by her friends and the industrious poor, to whom she had so long been a benefactress. She had a son,

John, fourth Earl of Loudoun; and two daughters,

1. Lady *Elisabeth*, died, unmarried, at Sorn Castle, 19th April 1771.

2. Lady *Margaret*, married to John Campbell of Shawfield, and died without issue, 6th October 1733.

Statistical Account, XX. 163.

XXII. JOHN, fourth Earl of LOUDOUN, the only son, born 5th May 1705; succeeded his father, 1731; was chosen one of the sixteen representatives of the Scotish Peerage at the general election 1734, and re-chosen at every general election, (1741, 1747, 1754, 1761, 1768, 1774, and 1780,) till his death, 1782, representing the

Loudoun.

Peerage no less than 48 years. Choosing the military profession, his first commission as a cornet was dated 1727; he had a cornetcy in his uncle, Sir James Campbell's regiment of Royal Scots Greys, October 1732; was made captain in Kerr's regiment, 1734; captain-lieutenant of the third foot-guards, 29th February 1739; captain of a company in the same regiment, 21st August same year; had the government of Stirling castle conferred on him, April 1741; and the appointment of aide-de-camp to the King, July 1743. On the breaking out of the rebellion, 1745, his Lordship raised a regiment of Highlanders for the service of government, of which he was appointed colonel, 25th April that year; joined Sir John Cope, under whom he acted as adjutant-general; was at the battle of Preston, where almost the whole of his regiment were killed or made prisoners. His Lordship then went north in the Saltash sloop of war, with arms, ammunition, and money; arrived at Inverness 14th October; and, by the middle of November, had collected more than 2000 men, thus preventing Lord Lovat from joining the chevalier's army at Edinburgh. On the retreat of the rebels to the north, in February 1746, Lord Loudoun judged it proper to leave Inverness, and to march into Ross-shire; the rebels took possession of Inverness, 18th February, when Lord Cromarty was dispatched against Lord Loudoun, who stood his ground till the Duke of Perth and Lord George Murray reinforced the rebel party. Lord Loudoun then crossed the frith of Tain into Sutherland; but the Duke of Perth following him, his Lordship marched through Sutherland to the west coast, and embarked with 800 men for the Isle of Sky, where he was of considerable use in preventing recruits and provisions going to the rebel army*. His Lordship was appointed colonel of the 30th regiment of foot, 1st November 1749; held that command till 1770; colonel of the 60th, or royal American regiment of foot, 25th December 1755; captain-general and governor in chief of the province of Virginia, 17th February 1756; and was constituted general and commander in chief of all his majesty's forces in America, 20th March 1756. Sailing from Portsmouth, 20th May, he arrived at New York, 23d July, where he found affairs in great confusion; the French having made themselves masters of forts Oswego and Ontario; he therefore repaired immediately to Albany, to take the command of the forces assembled there. He transmitted to ministers a scheme for the reduction of Cape Breton, with an estimate of the force necessary to carry it into effect, desiring that they might be sent all at one time, and escorted by a powerful fleet early in the ensuing spring. Ministers informed his Lordship that the plan had met with his Majesty's approbation, and he, accordingly, in the course of the winter, made preparations for carrying it into effect. As it was intended to employ most of the regular troops in America on this service, his Lordship found it necessary to assemble the governors of the southern American provinces at Philadelphia, to concert with them the measures proper to be taken for the common defence of the frontiers in his absence, and to induce them to unite and act for the general good. From the dissensions among the provinces, this was an arduous task; his Lordship displayed very great abilities in carrying on the negotiation, in which a plan of defence was settled; the number of troops to be furnished by each colony was settled; and their destination and days of march fixed. So assiduous was his Lordship, that he got this important business finished in ten days, when he returned to New York, where he employed himself indefatigably in getting ready every requisite for the siege of Louisbourg, that nothing might be wanting when the expected fleet and army arrived from England.

Loudoun.

In order to conceal his plans, his Lordship, 3d January 1757, laid a general embargo on all outward-bound ships; in which he had also in view the obtaining a body of seamen for the fleet, and collecting vessels for transporting the troops to Cape Breton. This measure was loudly

* Under the act for the abolition of heritable jurisdictions, 1747, his Lordship was allowed for his life interest in the sheriffship of Air L.1500; for the regality of Machline, L.806, 2s. 8d.; and for the regality of Loudoun, L.369, 1s. 3d.; in all L.2675, 5s. 9d, in full of his claim of L.11,000.

Loudoun. exclaimed against, and tended to make his Lordship unpopular, both in England and America, as it prevented a supply of grain being sent to Britain, where the crop had failed; and the French, having early received information of his plan, adopted measures to render it abortive, by speedily sending out a large body of troops, and a strong fleet to Louisbourg, with every necessary for the supply of that important garrison. Lord Loudoun made every exertion to procure provisions for the British forces, and collected ninety sail of transports at New York. Sir Charles Hardy, governor of New York, received his commission as rear-admiral of the blue, 6th May, with orders to hoist his flag immediately, and act in conjunction with Lord Loudoun. The army, consisting of 5300 men, were embarked, 25th May, and the transports fell down to Sandy Hook; but just at that crisis, information was received that five French ships of the line were off Halifax. Lord Loudoun had no other alternative but to remain where he was till that point was ascertained, the naval force under Sir Charles Hardy being too inferior to cope with such a squadron; two sloops of war soon returned with the agreeable tidings that the coast was clear. The fleet sailed from the Hook, 5th June, and arrived in the course of three days at Halifax, where they found three regiments of foot and a company of artillery. Lord Loudoun disembarked the troops, encamped the whole near the town, and had them daily out at exercise, in order to train them to the service they were going on. It had been well had his Lordship's activity been properly seconded in England. So far from this being the case, it was the 17th April before Admiral Holburne sailed with his fleet from St Helen's, where he had long been detained by contrary winds, for Cork, where the troops were to embark. This being at last effected, he sailed from thence 7th May, and arrived at Halifax, 9th July. With this accession of force, Lord Loudoun's army consisted in all of 11,000 men, under his Lordship as commander in chief, Majors-General Abercrombie, Hopson, and Lord Charles Hay, and B. G. Laurence. The naval force was fifteen sail of the line, two fifties, five frigates, besides sloops of war. While Admiral Holburne was busied in watering and victualling the fleet, and in making all his necessary arrangements, Lord Loudoun ordered the newly arrived troops to be landed, in order to refresh them after so long a voyage, and they were exercised daily. In the meantime, the admiral dispatched frigates to look into Louisbourg, and bring certain accounts of the enemy's strength. This prudential step was censured by some, it was said to be "keeping the soldiers' courage at bay, and "expending the nation's wealth in making "sham fights and planting cabbages," alluding to Lord Loudoun's constantly exercising the troops, and having a garden prepared at Halifax for the use of the soldiers, the cabbages and other vegetables produced in which contributed not a little to the preservation of the health of the army. For these expressions Lord Charles Hay was put under arrest, 31st July; and the troops were embarked 1st and 2d August to proceed to Louisbourg; but, on the 4th, information was received that the enemy's force there consisted of eighteen sail of the line, and five large frigates, and that, including the garrison, they had 7000 regular troops. A council of war was immediately held, in which it was resolved, that, considering the great strength of the enemy, and the advanced season of the year, it was expedient to postpone the attack upon Louisbourg, and that the troops should proceed to the places where the public service required them. The regiments, composing the garrison of Halifax, were disembarked; others went to Fort Cumberland and Annapolis Royal; and the Earl of Loudoun, with the remainder, sailed back to New York, where he exerted himself actively in making preparations for opening next campaign with vigour. The clamour raised against his Lordship was, however, so strong, that he was recalled from the command of the forces in America, and, of course, was deprived of the colonelcy of the 60th or royal American regiment, at that time attached to such command, in December 1757, and returned home. The plan of operations laid down by his Lordship, was formed with too great judgment to be laid aside, Loudoun.

Loudoun.

it was followed in 1758, and attended with success, under General Amherst, supported by Admiral Boscawen. Lord Loudoun was second in command, under Lord Tyrawley, of the British troops sent to Portugal in February 1762, when Spain declared war against that court on the most frivolous pretexts; had the colonelcy of the third regiment of foot-guards conferred on him, 30th April 1770; and held it till his death, which happened at Loudoun Castle, on the 27th of April 1782, in the 77th year of his age, being then also a general in the army, governor of the castle of Edinburgh, a privy-councillor, one of the sixteen representative peers of Scotland, F. R. S. and the third field officer in the army, of which he attained the rank of colonel, 25th April 1745; major-general, 17th February 1755; lieutenant-general, 22d May 1758; and general, 30th April 1770. *Dying unmarried*, the title devolved on his cousin, James Mure Campbell, only son of his uncle,

XXI. The Hon. Sir JAMES CAMPBELL of Lawers, (third and youngest son of James, second Earl of Loudoun,) who went, at an early age, into the army; was lieutenant-colonel of the second regiment of dragoons, or Royal Scots Greys; and served on the continent under the Duke of Marlborough. At the bloody battle of Malplaquet, 11th September 1709, while the victory was as yet doubtful, Lieutenant-Colonel Campbell, with a party of his men, rushed with great fury against the French, and, cutting all before them, opened a way through the midst of the enemy, and returned the same way back. This successful sally, encouraging the confederates, and disheartening the French, contributed not a little to turn the fortune of the day. This conduct was made the subject of censure; but Prince Eugene of Savoy, the commander-in-chief, who greatly admired so gallant an action, and knew that junctures might exist, in which a transgression of rules might be justified by emergencies, thought it not sufficient that Colonel Campbell should pass uncensured; and therefore returned him thanks for exceeding his orders, in the face of the army, the day after the battle. He got the command of the Royal Scots Greys, 15th February 1717; was appointed one of the grooms of the bedchamber to George II.; chosen Member of Parliament for the county of Air, at the general election, 1727; rechosen, 1734; and constituted governor of the castle of Edinburgh, 1738. At the battle of Dettingen, 16th June 1743, his courage and conduct were so conspicuous, that George II. invested him with the order of the Bath, at the head of the army. He commanded the British horse at the battle of Fontenoy, 30th April 1745, when he was mortally wounded, one of his legs being taken off by a cannon-ball, expired soon afterwards, and was buried at Brussels, being then a lieutenant-general in the army, colonel of the second regiment of dragoons, governor of the castle of Edinburgh, a knight of the Bath, and groom of the bedchamber*. His loss greatly contributed to the disasters of that ill-fated day, when many more brave officers fell, and the British were obliged to retire, the Earl of Crawford bringing up the retreat in good order. He married Lady Jean Boyle, eldest daughter of David, first Earl of Glasgow, by his second wife, Jean, daughter and heiress of William Mure of Rowallan, and by her had a daughter, *Margaret*, born 17th May 1727; and a son, Edin. Reg.

XXII. JAMES MURE CAMPBELL of Lawers, fifth Earl of LOUDOUN, a brave officer, an accomplished scholar, and an amiable man, born 11th February 1726. He assumed the name of Mure, on succeeding to his grandmother, the Countess of Glasgow's, estate; had a troop of the Scots Greys, his father's gallant regiment, conferred on him, 29th May 1745; was chosen Member of Parliament for the county of Air, at the general election, 1754; had the majority of the 11th regiment of dragoons, 26th June same year; a company in the third regiment of foot-guards, 2d June 1756; the lieutenant-colonelcy of the 2d regiment of dragoon-guards, 7th May 1757, from whence he exchanged into the Ibid.

* In the Gentleman's Magazine, it is stated that Sir James Campbell was then 78 years old. This appears too advanced a period for active service. His father died in 1684, 61 years before the battle of Fontenoy.

21st regiment of dragoons (the Marquis of *Granby's*), disbanded 1763; attained the rank of colonel in the army, 19th February 1762; and of major-general, 19th October 1781; succeeded as fifth Earl of Loudoun, 1782; and died on the 28th of April 1786, in the 61st year of his age. He married, at Redhall, near Edinburgh, 30th April 1777, Flora, eldest daughter of John Macleod of Rasay, in the county of Inverness; and by her, who died at Hope Park, near Edinburgh, 2d September 1780, had an only child,

XXIII. FLORA MURE CAMPBELL, Countess of LOUDOUN, born in August 1780; succeeded her father, 1786; was entrusted to the care of the Earl and Countess of Dumfries, with whom her Ladyship constantly resided, till the death of the Earl in 1803. She was married at Lady Perth's, Grosvenor Square, London, 12th July 1804, to Francis Rawdon Hastings, Earl of Moira, in Ireland, and Baron Rawdon, in Great Britain, then commander-in-chief of the forces in Scotland. His Royal Highness the Prince of Wales gave away the bride; and the ceremony was performed by the Bishop of London. Her issue are,

1. Lady *Flora Elisabeth*, born in Queen Street, Edinburgh, 11th February 1806.

2. *Francis George Augustus*, Lord Machline, born in St James's Square, London, 13th February 1807; died next day.

3. *George Augustus Francis*, Lord Hungerford, Machline, and Rawdon, born in St James's Place, London, 4th February 1808; baptized, with great pomp, 7th April, his Royal Highness the Prince of Wales being one of the sponsors.

4. Lady *Sophia Frederica Christina*, born 1st February 1809.

5. Lady *Selina Constantia*, born 15th April 1810.

The descent of the noble family of Rawdon, Earl of Moira, is detailed in Archdall's Peerage of Ireland, III. 95 to 110; and a genealogy of the great house of Hastings, Earl of Huntingdon, of whom the Earl of Moira is heir-general, and as such inherited, on the death of his mother, Lady Elisabeth Hastings, Countess of Moira, the antient baronies of Hungerford, Hastings, Neumarch, Botreaux, Molines, Moels, Peverel, and de Homet, may be seen in Nichol's History of Leicestershire, which is ornamented with fine views of the Earl of Moira's magnificent seat of Donnington Castle.

TITLES.—Flora Mure Campbell, Countess of Loudoun, Baroness Campbell of Loudoun, Farrinyean, and Machline.

CREATIONS.—Lord Loudoun, 30th June 1601, apparently to heirs whatever, as that title descended to the grand-daughter of the first Lord. Earl of Loudoun, Lord Farrinyean, and Machline, to the first Earl, and his heirs male for ever, carrying the name and arms of Campbell, by patent, dated at Theobald's, 12th May 1633. Resigned into the Queen's hands, 7th February 1707; and granted to Hugh, third Earl of Loudoun, and the heirs male of his body; which failing, to the heirs whatsoever descending of the body of John, first Earl of Loudoun; which failing, to the heirs male whatsoever of John, first Earl of Loudoun, with the former precedency.

ARMS.—Gironny of eight, the paternal coat of Campbell, gules, and ermine, being the tinctures of Crawford of Loudoun, who bore gules, a fess, ermine.

CREST.—An eagle displayed, with two heads, within a flame of fire.—(Nisb.) An eagle displayed, with two heads, gules, in a frame, proper, looking towards the sun with the dexter head.—(Dougl.)

SUPPORTERS.—Dexter, a man armed at all points, holding a spear, proper; sinister, a lady richly apparelled, holding in her hand a missive letter.—(Nisb.) Dexter, a chevalier in armour, plumed on the head with three feathers, gules, and holding a spear in his right hand; sinister, a lady nobly dressed, plumed on the head with three feathers, argent, and holding in her left hand a letter of challenge.—(Dougl.)

MOTTO.—*I bide my time.*

CHIEF SEAT.—Loudoun Castle, in Ayrshire.

FRASER, LORD LOVAT.

Lovat.

THE origin of the very antient and numerous race of Fraser, falls to be treated of under the title of Fraser, Lord Salton. The first of the house of Lovat appears to have been

I. SIMON FRASER, of whom the following notices occur in Robertson's Index of Records. Querela Simonis Frazer, et Margarete, sponse sue, super vicecomitem de Inerneuss, et Querela Simonis Frazer, et Margarete, sponse, et unius heredis Comitis de Caithnes, super comitatu de Caithnes, apud Kinross, 4 Decembris 1330. From these entries, it is evident that Simon Fraser married Margaret, one of the heirs of the Earl of Caithness, and thus acquired great property in the north. He was probably a branch of the Frasers of Oliver Castle, in the county of Peebles, as his son had possessions in that county, though his precise relationship to them cannot be ascertained. He fell at the battle of Halidon-hill *, 19th July 1333, leaving an infant son,

Robertson's Index, 28, 29.

Dalr. Ann. III. 88.

II. HUGH FRASER of Lovat, who, in a deed of homage to the Bishop of Moray, for some lands which he held of that see, is designed Hugo Fraser, Dominus de Lovat, 1367. There is extant a resignation, by Hugh Fraser, Lord of Lovat, of his lands of Fairlyhope, in the shire of Peebles, to the noble and potent Lord James Douglas, Lord of Linton, in 1377. These lands were part of the property of his ancestors in that county. He entered into an agreement with Alexander, Bishop of Moray, who, for the sum of L.20 sterling, freed Hugh, Dominus de Lovat, of all bygone arrears of tythes, in 1384. A charter was granted, by Hugh Fraser of Lovat, and of Kynnell, to his dear cousin, Peter de Strivelyne, and John de Strivelyne, son of the said Peter, for the good and faithful service done and to be done to him by the said Peter, to them and the heirs of their bodies; which failing, to Hugh de Strivelyne, second son of the said Peter; of the lands of Easter Breky, in the barony of Kynnell, in Forfarshire, dated 30th March 1407, confirmed by charter under the great seal of Robert, Duke of Albany, 30th March 1410, by which time Hugh Fraser of Lovat was dead, he being designed quondam in the confirmation. He married Isabel, daughter of Sir David Wemyss of Wemyss, by whom he had four sons,

Chartul. Moray, f. 283. D.

Carta penes Com. de Morton. D.

Haddington's Coll. 309. D.

Lovat.

Reg. Mag. Sig. 243.

1. *Alexander* Fraser of Lovat, who died unmarried, as appears from a retour in the great seal register, dated 2d May 1430. of Hugh Fraser of Lovat, then of legitimate age, as heir of the deceased Alexander Fraser of Lovat, in one-third of the barony of le Arde, in the barony of Abertarf and Stratherrick, and in one-third of the barony of Gleneig, registered 20th September 1430.

Mag. Sig. L. iii. No. 91.

2. *Hugh.*

3. *John*, first of the Frasers of Knock, in Ayrshire.

4. ——, ancestor of the Frasers of Foyer and their cadets.

III. HUGH FRASER of Lovat, the eldest surviving son, is documented by an indenture, made at Baky, 3d March 1416, betwixt William of Fentoun, lord of that ilk, and Hugh, or Hucheon, Fraser of Lovat, by which it was agreed, that Hugh take to wife Jonet Fentoun, sister of William, who, in contemplation of the marriage, disponed several lands to Hugh and Jonet, in conjunct fee, and to the heirs of the marriage; and Hugh, on his part, obliged himself to give Jonet, in name of dowry, L.20 out of the lands of Golfurd.

L. iii. No. 91.

* James and Simon Fraser, slain at Halidon-hill, are said, by Fordun, xiii. 28, to have been brothers. The received opinion is, that they were sons of Sir Alexander Fraser, slain at Duplin, and the nephews of Robert I. by their mother, Mary Bruce. Dalr. Ann. III. 88. This is not consistent with chronology, as the marriage of Mary Bruce to Sir Alexander Fraser could not, in the regular course, have taken place sooner than 1316, when her first husband, Sir Niel Campbell of Lochow, died; and we have seen that Simon Fraser was a married man in 1330.

Lovat.

This indenture was confirmed under the great seal, 16th September 1430. Hugh Fraser of Lovat also entered into a contract with Thomas Dunbar, Earl of Moray, at Elgin, 9th August 1422, that his son and heir should marry a daughter of the Earl; and failing of sons, that his daughter and heir should marry a son of the Earl; in contemplation of which marriage, the Earl granted to him the barony of Abertarf. Hugo, Dominus de Lovat, was one of the hostages for the ransom of James I. in 1424; had charters of the lands of Golfurde, in the county of Nairn, and of the barony of Kinnell, in Forfarshire, both dated 14th September 1430; was constituted high-sheriff of the county of Inverness, 1431; and it is said, was created a lord of parliament by James I., with whom he was in great favour. By the said Jonet Fentoun, he had a son,

Lovat Case, 18.

Fœdera, X. 333. Mag. Sig. L. iii. No. 92, 95.

IV. Hugh, second Lord Lovat, who, on the 3d of March 1472, entered into an indenture with the burgh of Nairn, by which the magistrates thereof bound themselves and their successors, till an honorabyl lord, Hew, Lorde Fraser of the Lovat, his heirs and successors, in leil and true manrent and service; and the said Lorde obliges him, his heirs and successors, that he shall be to them a good lord, maintainer, and defender, in all their richtwise causes, quarrels, and actions. Hugo, Dominus Fraser de Lovat, granted, in 1476, a charter, confirming to John Stirling the lands of Breky and Kinnell, of which he was superior. A decreet was issued by the lords auditors, 16th December 1494, that Donle Macgilcallum should restore and pay to Hew, Lord Fresale of ye Lovait, 400 ky, at 20s. each; 36 horses, at 26s. 8d.; 9 sheep, at 2s. each, and L.45 for certain household goods, taken from the said Hew, and his tenants, out of the Ard and Easter Fernway, by the said Donle and his complices. He granted a charter of the lands of Breky, to his cousin, George Stirling, dated 1st November 1499, witnessed by Alexander and James Murray, grandsons of the said Hugh, Lord Fraser of Lovat, confirmed by charter under the great seal, 22d October 1526, by which period he was dead, being therein designed quondam. It is said, that he married Lady Janet Dunbar, daughter of Thomas, Earl of Moray, in terms of the contract, 1422; but there is no evidence that this marriage actually took place; and if it did so, the Frasers of Lovat must have inherited the earldom of Moray. He had issue,

Lovat Case, 19.

Haddington's Coll. D.

Rec. Parl. 453.

Mag. Sig. L. xxi. No. 49.

1. *Thomas*, third Lord Lovat.

2. *Alexander*, ancestor of the Frasers of Faraline, Sir William Fraser of Leadclune, baronet, and other families of that name.

Daughter, *Agnes*, married to Sir Kenneth Mackenzie of Kintail.

Lovat.

V. Thomas, third Lord Lovat, the eldest son, had a precept of sasine, 30th April 1501, for infefting him, as nearest and lawful heir of his father, in the castle and lands of Lovat, the third part of the barony of Aird, the whole barony of Abertarf, with Strathernik, the third part of Glenelg, and other lands. Charters were granted to Thomas, Lord Fraser of Lovat, of the barony of Kinnell, in the King's hands, by recognition, 14th October 1501; of part of the barony of Abertarf, to him and Jonet Gordon, his wife, 17th November 1501; of Delcors, in the same barony, to him and Agnes Gray, his wife, 6th May 1509; of Kilbirny, and the castle-hill of the same, called Bewfort, to him, 14th June 1511; of half of *Bellecaranach*, &c. 20th January 1511-2; of *Manys* and *Memysbank*, in the barony of *Kinnell*, in *Forfarshire*, to him and *Jonet Gray*, his wife, 1st June 1514. He held the office of justiciary of the north in the reign of James IV.; and died 21st October 1524. He married, first, Janet, daughter of Alexander Gordon of Midmar, by whom he had two sons,

Lovat Case, 20.

Mag. Sig. L. xiii. No. 431. L. xiv. No. 71. L. xv. No. 119. L. xvi. No. 23. L. xviii. No. 23, 35. L. xix. No. 42.

Lovat Case.

1. *Thomas*, Master of Lovat, killed at Flodden, 9th September 1513; unmarried.

2. *Hugh*, fourth Lord Lovat.

He married, secondly, Agnes, or Jonet, daughter of Andrew, third Lord Gray, relict of Alexander Blair of Balthyock, by whom he had two children,

James, who had charters, to James Fraser, brother-german of Hugh, Lord Fraser of Lovat, of the King's lands of Drumdervale, in the lordship of Ardmanoth, in Ross-shire, 7th June 1539; and of Kin-

Mag. Sig. L. xxvi. No. 263. L. xxviii. No. 365.

Lovat.

kell, Culboky, Petfundy, &c. in the county of Inverness, 24th October 1542.

Janet, married to John Crichton of Ruthven, documented by a charter to Jonet Fraser, daughter of the deceased Thomas, Lord Fraser of Lovat, for her life, from John Crichton of Ruthven, of Brigtoun of Rothvens, and Rothyendenny, in Forfarshire, 2d October 1627.

Mag. Sig. L. xxii. No. 18.

VI. HUGH, fourth Lord LOVAT, the eldest surviving son, was, on the 10th of January 1524-5, served heir of his father in the lands and castle of Lovat, and the whole estate of the family. He had charters to Hugh, Lord Lovat, of the lands of Kirktoun and Inchebarry, in Invernessshire, 22d January 1527-8; of Kingyle, and other lands in Ross-shire, 2d March 1528-9; of part of Glenelg, 7th March 1532-3, and 1st May 1535. He made a resignation of the King's lands of Howcleuch, in Lanarkshire, 16th April 1535; had charters of part of the lordship of Bewford, to Hugh, Lord Fraser of Lovat, and Jonet Ross, his wife, 19th July 1536; and of Easter and Wester Agacs, in Invernessshire, to him, 18th December 1536. He resigned his whole family estates into the hands of King James V. and obtained from his Majesty a new charter, dated 26th March 1539, uniting and incorporating them into one entire and free barony, to be called the barony of Lovat, to him and the heirs male of his body; which failing, to his nearest legitimate heirs male whatsoever, bearing the name and arms of Fraser; which failing, to his heirs whatsoever. He had charters of the ecclesiastical lands of Duffous, 8th December 1540; and of Bewfort, in Inverness-shire, 28th July 1542. He was the Queen's justiciary in the north, and was, along with his eldest son, killed in an engagement with the Macdonalds at Lochlochy, in Inverness-shire, 2d June 1544. This was fought with such obstinacy, that scarcely ten of both sides came off alive. He married, first, Anne, daughter of John Grant of Grant and Frewchie, by whom he had a son,

Lovat Case, 22.

Mag. Sig. L. xxiv. No. 74, 272. L. xxv. No. 5, 187, 190, 312. L. xxvi. No. 79, 243. L. xxvii. No. 190. L. xxviii. No. 123.

Scth. Add. Case, vi, 125.

Hist. Scth. 110.

Hugh, Master of Lovat, a youth of singular hope, bred in France, who was killed with his father at Lochlochy, 1544, without issue.

He married, secondly, Jonet, daughter of Walter Ross of Balnagowan, by whom he had issue,

Lovat.

1. *Alexander*, fifth Lord Lovat.

2. *William* Fraser of Strowie, ancestor of several families of his name in the county of Inverness.

Daughter, *Agnes*, married, first, to William Macleod of Macleod. They had a charter 1540. By him she had one daughter; and she took to her second husband Alexander Bayne of Tulloch.

VII. ALEXANDER, fifth Lord LOVAT, the eldest surviving son, had a charter of several lands in the county of Inverness, to Alexander, Lord Fraser of Lovat, and Jonet Campbell, his wife, on her resignation, 10th March 1554-5; and died 1558. He married Jonet, daughter of Sir John Campbell of Calder, by whom he had issue,

Mag. Sig. L. xxxii. No. 643.

1. *Hugh*, sixth Lord Lovat.

2. *Thomas*, ancestor of the Frasers of Strichen.

3. *James* Fraser of Ardachie.

Daughter, *Anne*, married to John Fraser of Dalcross.

VIII. HUGH, sixth Lord LOVAT, the eldest son, was served heir of his father, 1560, and of his grandfather, Hugh, Lord Fraser of Lovat, 16th May 1566. He had a charter of several ecclesiastical lands from Walter, Abbot of Kinloss, Prior of Beaulieu, 6th November 1571; and died 1st January 1576. He married Lady Elisabeth Stewart, eldest daughter of John, fourth Earl of Atholl; and by her, who married, secondly, Robert, Earl of Lennox and March; thirdly, in 1581, Captain James Stewart, Earl of Arran, high-chancellor of Scotland, had a son,

Inq. Ret. i. 73.

Mag. Sig. L. xxxiii. No. 51.

Simon, seventh Lord Lovat;—and a daughter,

Elisabeth, married to Alexander Dunbar of Westfield, sheriff of Moray.

IX. SIMON, seventh Lord LOVAT, the only son, born about 1572, was served heir of his father, 20th June 1578; a charter to the deceased Hugh, Lord Fraser of Lovat, and Simon, Lord Fraser of Lovat, of the lands of Ardingrosk, in Inverness-shire,

Inq. Ret. i. 73. Mag. Sig. L. xxxv. No. 87. L. xxxviii. No. 95.

Lovat. Mag. Sig. L. xlvi. No. 147. L. xlviii. No. 153, 174, 341. L. l. No. 192.

was granted 10th August 1679. Simon, Lord Fraser of Lovat, had charters of Kilmyles in Inverness-shire, 10th August 1586; of the barony of Beaulieu, 29th August 1592; of Easter and Wester Aagyss, 13th July 1610; of the manor of Philorth, lands of Cairnbulg, Innernoth, and Innerallochie, 26th July 1616; of Innerallochie, to him, Jean Stewart, his wife, Simon, their eldest son, and Jean Moncrieff, his wife, 20th December 1616; of the barony of Foulis, 27th January 1618; and of the lands of Beaucharran and Boleskin, 31st July 1623. He was thus addressed by Arthur Johnston,

Natus hyperboreos inter Fraserius heros,
E spinis docuit surgere posse rosam;

and died 3d April 1633. He married, first, Margaret, eldest daughter of Sir Colin Mackenzie of Kintail, by whom he had two sons,

1. *Simon*, who had a charter to Simon Fraser, eldest legitimate son of Simon, Lord Fraser of Lovat, of the barony of Kinkell Fraser, 20th June 1611. He died before his father, without issue.

L. xlvi. No. 305.

2. *Hugh*, eighth Lord Lovat.

He married, secondly, contract dated 1590, Jean Stewart, daughter of James, Lord Doun, by whom he had issue,

1. Sir *Simon*, ancestor of the Frasers of Innerallachy.

2. Sir *James* Fraser of Brae.

Daughter, *Margaret*, married, first, to Sir Robert Arbuthnott of Arbuthnott; secondly, to Sir John Haldane of Gleneagles.

Inq. Ret. xiii. 82, 256.

X. Hugh, eighth Lord Lovat, the eldest surviving son, was served heir of his father, 10th May 1633, and died 16th February 1646. He married Isabel, daughter of Sir John Wemyss of Wemyss, and had issue,

1. *Simon*, Master of Lovat, who died, unmarried, in March 1640.

2. *Hugh*, Master of Lovat.

3. *Thomas* Fraser of Beaufort, eleventh Lord Lovat.

1. *Anne*, married, 24th January 1639, to John, thirteenth Earl of Sutherland, without issue.

2. *Mary*, married to David Ross of Balnagowan.

3. *Catherine*, married, first, to Sir John Sinclair of Dunbeath; secondly, to Robert, first Viscount of Arbuthnott; thirdly, in 1663, to Andrew, third Lord Fraser, and had issue. Lovat.

Inq. Ret. xvii. 126.

XI. Hugh, Master of Lovat, the eldest surviving son, was served heir of his brother, Simon, Master of Lovat, 26th July 1642, and died in the lifetime of his father, in May 1643. He married Lady Anne Lesly, eldest daughter of Alexander, first Earl of Leven, and by her, who took to her second husband, Sir Ralph Delaval, of Seaton Delaval in Northumberland, Bart. had a son,

Inq. Ret. xix. 48. xxviii. 42.

XII. Hugh, ninth Lord Lovat, who was born the same year, 1643, succeeded his grandfather 1646, and was, under the stile of Hugh, Lord Fraser of Lovat, served heir of Hugh, Master of Lovat, his father, 30th March 1647, also 18th May 1655, and died 27th April 1672. He married, at Tarbat, in July 1659, when he was a boy of sixteen at college, Anne, second daughter of Sir John Mackenzie of Tarbat, Bart. sister of the first Earl of Cromarty, and by her had a son,

Hugh, tenth Lord Lovat; and three daughters,

Edin. Reg.

1. *Anne*, born 12th March 1661, married to Patrick, second Lord Kinnaird.

2. *Isabel*, married to Alexander Macdonnell of Glengary.

3. *Margaret*, married to Colonel Andrew Munro.

XIII. Hugh, tenth Lord Lovat, the only son, succeeded his father, 1672, and died in 1696. He married Lady Amelia Murray, only daughter of John, first Marquis of Atholl, and by her, who died at Perth, 6th May 1743, aged above eighty, had four daughters,

1. *Amelia*, married in 1702, to Alexander Mackenzie of Prestonhall, son of Roderick Mackenzie of Prestonhall, a lord of session, and lord justice-clerk, brother of the first Earl of Cromarty.

2. *Anne*, married, first, in September 1703, to Norman Macleod of Macleod; secondly, to Peter Fotheringham of Pow-

Lovat.

rie; thirdly to John, second Earl of Cromarty, and had issue by all three.

3. *Catherine*, married to Sir William Murray of Auchtertyre, in Perthshire, Bart. and had issue, and died 15th March 1771.

4. *Margaret*, who died unmarried.

On the death of Hugh, tenth Lord Lovat, without issue, his eldest daughter assumed the title of Baroness of Lovat. According to Crawford's Peerage, her father had resigned the title into the King's hands, and got *it* conferred on him and his daughters. Simon Fraser, younger of Beaufort, the heir male, paid his addresses to the Baroness of Lovat, and obtained her consent; she eloped from her mother's house of Castledownie, under the conduct of Fraser of Tenecheil, their mutual confidant; but Tenecheil, from fear or venality, forced the lady to return to her mother, to whom he disclosed the plan. Simon Fraser then took possession of the estates, for which he and ten other Frasers were, 5th September 1698, tried, in absence, before the court of justiciary at *Edinburgh* for high treason; in forming unlawful associations; collecting an armed force; occupying and fortifying houses and garrisons; imprisoning and ravishing persons of distinguished rank; and continuing in arms after being charged by a herald to lay them down. The court adjudged them to be executed as traitors, and decreed the forfeiture of their lands and possessions. Simon Fraser then seized on Lady Amelia Murray, Lady Dowager Lovat; got the marriage ceremony performed by a minister; and forcibly consummated the nuptials. For this he was indicted before the court of justiciary, 17th February 1701, and outlawed. The Baroness of Lovat married, in 1702, Alexander Mackenzie, younger of Prestonhall, who assumed the name of Fraser of Fraserdale; he engaged in the rebellion, 1715, for which he was attainted by act of parliament, and his liferent of the Lovat estate forfeited. He died at Leith, 3d June 1755, æta. 72. His son, Hugh Fraser, on the death of his mother, assumed the title of Lord Lovat, and died at Edinburgh, 9th November 1770, æta. 67. Simon Fraser of Beaufort having got a gift of Fraserdale's liferent of the Lovat estate from the crown, assumed the title of Lord Lovat. He voted, by list, at the election of a representative peer, 1721, when it was objected that he had no title to the dignity and honours of Lord Lovat, but that they did descend and are legally vested in the person of Amelia, Baroness of Lovat, as heir of line and eldest daughter of Hugh, last Lord Lovat; for, by a decision of the Court of Session, of 2d December 1702, it was decreed, that the honours and dignity of Lovat were in the person of the said Amelia, Baroness of Lovat, and that the said Captain Simon Fraser of Beaufort had no right thereto. Also, that the said Captain Simon Fraser having been attainted and sentenced to death by the court of justiciary for high treason by him committed, if any honours or dignity had been in his person, the same would, in consequence of that sentence, have been forfeited to the crown and extinguished. To this it was answered, that the lordship, lands, and estate of Lovat are settled upon *heirs male*, as will clearly appear by charters on record, and that Simon, Lord Fraser of Lovat, is unquestionably nearest heir male to the last Lord Lovat, deceased, and, therefore, has an undoubted right to the antient title of Lovat; which was given by no particular patent, but only by the foresaid charters. And, as to the allegeance, that the title of Lovat was made over by the late Lord Lovat to his eldest daughter, that is denied; and albeit it had been disponed, yet it never was received by the sovereign nor conferred upon the said daughter; and if there is any doom of forfeiture by the court of justiciary, which does not appear, yet the same is sufficiently taken off by a remission under the great seal, wherein he is designed Lord Lovat. His vote was again objected to at the general elections, 1722 and 1727. He brought a declarator of his right to the honours before the Court of Session, who, 3d July 1730, decreed the title, dignity, and honours of Lord Fraser of Lovat, to pertain and belong to Simon, Lord Fraser of Lovat, pursuer, as eldest lawful son of Thomas, Lord Fraser of Lovat, his father, who was grand-uncle to Hugh, Lord Fraser of Lovat, deceased, father of Mrs Amelia

Lovat.

Robertson's Proceedings, 92.

Lovat. Fraser, and grandfather of Hugh Mackenzie, defenders, and consequently heir male of the family of Lord Fraser of Lovat, to whom the said title and dignity does descend. This judgment, pronounced by an incompetent court, was founded on the charter of 1539 already recited. To prevent an appeal, a compromise was made, by which Hugh Mackenzie ceded to Simon, Lord Lovat, for a valuable consideration, his pretension to the honours and his right to the estate after his father's death.

XI. THOMAS FRASER of Beaufort, second son of Hugh, eighth Lord Lovat, on the death of his grand-nephew, Hugh, tenth Lord Lovat, in 1696, became eleventh Lord Lovat, but did not assume the title, and died at Dunvegan in Sky, in May 1699, æta. 63. He married Sibylla, fourth daughter of John Macleod of Macleod, and by her had fourteen children, ten of whom died young; the others were,

1. *Alexander*, who died in the 25th year of his age, before his father, unmarried.
2. *Simon*, twelfth Lord Lovat.
3. *John*, who died, unmarried, in 1716.

Daughter, *Sibylla*.

XII. SIMON, twelfth Lord LOVAT, the eldest surviving son, born at Beaufort, near Inverness, 1668, was obliged to leave the kingdom in consequence of the proceedings of the court of justiciary against him, 1698. He came over to Britain in 1703, as an emissary from the court of St Germains, whose plans he communicated to ministers, and, on his return to France, 1704, was committed to the Bastile. On the breaking out of the rebellion, 1715, he returned home in October that year; raised men, and concerted with the Grants and Forbes of Culloden, a plan for recovering Inverness out of the hands of the rebels, in which they succeeded. For his activity in support of government, he obtained a remission and rehabilitation under the great seal, 10th March 1716; and got a gift from the crown of Mr Mackenzie Fraser's liferent of the estate of Lovat. He had the honours adjudged to him by the Court of Session, 1730, as already mentioned*. Lovat. He signed the association, in 1740, to support the Pretender, from whom he accepted the commission of lieutenant-general, and general of the Highlands, and a patent creating him Duke of Fraser. On the breaking out of the rebellion, 1745, he sent his eldest son and his followers to join the chevalier, himself remaining at home. He was taken into custody, 1746, and indicted of high treason. His trial commenced before the *House of Peers*, 7th March 1747; his accession to the rebellion being clearly proved, he was found guilty on the 18th of March, sentence of death was pronounced next day, and he was executed on Towerhill on the 9th of April 1747, in the 80th year of his age†. His conduct previous to execution was manly and spirited. When advised by his friends to petition for mercy, he absolutely refused, saying he was old and infirm, and his life not worth asking. His estate and honours were forfeited to the crown; among the supplies granted in 1761, was L.38,553, 12s. 1d. for discharging the debts claimed and sustained on the estate of Lovat.

His Lordship married, first, Margaret, fourth daughter of Ludovick Grant of Grant, and had issue,

1. Hon. *Simon* Fraser of Lovat.
2. Hon. *Alexander* Fraser, who died 7th August 1762, unmarried.
1. Hon. *Janet* Fraser, married to Ewan Macpherson of Clunie, and was mother of Colonel Duncan Macpherson of Clunie, and died 14th April 1765.

* Note from Lord Mansfield's speech in the Sutherland cause.—The Court of Session proceeded in the case of Lovat, though not a competent Court. The judgment certainly went upon a private award for money paid; it went, however, upon a general presumption in favour of heirs male. I had occasion to hear a great deal concerning that case. Lord Lovat was supported in it by the Duke of Argyll. The lawyers, who were eminent on both sides, were of different opinions. When Lord Lovat was to be tried, much deliberation was had. It was foreseen he might turn himself to avoid the trial. If he was tried as a commoner, he might claim to be a peer; if tried as a peer, he might insist he was a commoner. Every thing was fully considered. The true solid ground upon which he was tried as a peer, was the presumption in favour of the heir male.

† His Lordship's portrait, among Hogarth's works, is well known. See Ireland's Hogarth, III. 285.

Lovat.

2. Hon. *Sibylla* Fraser, died, unmarried, 9th February 1755.

His Lordship married, secondly, 1st July 1733, Primrose, fifth daughter of the Hon. John Campbell of Mamore, sister of John, fourth Duke of Argyll, and by her, who died at Edinburgh, 23d May 1796, æta. 86, had a son,

Hon. *Archibald Campbell* Fraser of Lovat.

XIII. The Hon. SIMON FRASER of Lovat, the eldest son, was at the University of St Andrews at the breaking out of the rebellion, 1745, and was sent for from thence by his father, to head his clan in support of the rebels, which he unwillingly did. He surrendered himself 1746; was confined in the castle of Edinburgh from November 1746, to August 1747, when he set out for Glasgow, there to remain during the King's pleasure. A full and free pardon passed the seals for him in April 1750, and every act of his future life justified the favour of government. He refused the command of a regiment in the French service; desired leave to be employed in the British army; raised, in 1757, a regiment of 1800 men, of which he was constituted colonel, *5th January 1757*; went at their head to America, and highly distinguished himself at Louisbourg and Quebec, where his regiment suffered severely. He was a brigadier-general in the forces sent to Portugal, 1762, to defend that kingdom against the Spaniards. He was afterwards colonel of the 71st regiment of foot, of two battalions, which performed eminent service during the last American war. He was chosen member of parliament for the county of Inverness at the general election 1761, during his absence in America, and was constantly re-chosen till his death. In 1774 was passed, an act to enable his Majesty to grant unto Major-General Simon Fraser, the lands and estate of the late Simon, Lord Lovat, upon certain terms and conditions: Reciting, that whereas before the attainder of Simon, late Lord Lovat, his estate was settled by a deed of entail; which, coming to be tried before the Court of Session in Scotland, the estate was determined to be forfeited by a majority of one voice, and that judgment was not appealed from: And whereas, in 1747, proof was brought before parliament of the means used to involve Simon Fraser, eldest son of the said Simon, Lord Lovat, in the late unnatural rebellion, at a tender age; and the said Simon Fraser, ever since he was capable of acting for himself, hath testified his loyalty to his Majesty and the Royal Family, and proved the sense he entertained of the excellence of the happy constitution of this country, by declining to engage in the service of a foreign state, though destitute of any establishment here, and by dedicating himself to the service of his country at the beginning of the late war; upon which occasion he raised, in a very short time, a large body of men, and commanded a regiment composed of them, with which he served meritoriously during the course of it; and was the first who offered to set that example, which, in its consequences, proved advantageous to the state, by calling forth, from a corner of the kingdom, many thousand soldiers, whose efforts to demonstrate their zeal and attachment to his Majesty's royal person and government, contributed to the glory and success of that war; and *whereas, the said Simon Fraser hath, in* the course of his service, attained the rank of major-general in his Majesty's army, and since the peace hath been employed by his Majesty's command in the service of a power, whose alliance this country hath always deemed important: It was, by that act, declared lawful for the King to grant to the said Simon Fraser, all the lands, &c. forfeited by the attainder of his father, subject to the payment of L.20,983 Sterling. The Hon. Simon Fraser of Lovat died in Downing Street, London, 8th February 1782, being then a lieutenant-general in the army, and colonel of the *71st regiment* of foot, without issue. His brother,

Lovat.

Stat. 14. Geo. III. c. 22.

XIII. The Hon. ARCHIBALD CAMPBELL FRASER of Lovat, succeeded to the estate. He was appointed consul-general at Algiers, in 1766, and was chosen member of parliament for the county of Inverness, 1782. He married, in 1763, Jane, daughter of William Fraser, Esq. sister of Sir William Fraser of Leadclune, baro-

Lovat.

net, by whom, besides other children, whose names have not come to our knowledge, he had three sons,

1. *Simon*, chosen member of parliament for the county of Inverness, at the general election 1796, and died, unmarried, at Lisbon, 6th April 1803, æta. 38.

2. *William*, died at Edinburgh, 25th February 1801.

3. *Henry Emo*, died at Edinburgh, 25th August 1782.

ARMS.—Quarterly, 1st and 4th, azure, three cinquefoils, argent, for Fraser. 2d and 3d argent, three antique crowns, gules, for Bisset.

CREST.—A stag's head erased, Or, armed, argent.

SUPPORTERS.—Dexter, a stag, sejant, proper; sinister, a savage wreathed about the head and middle with laurel, holding over his shoulder a baton, proper.

MOTTO.—*Je suis prest.*

CHIEF SEAT.—Beaufort, near Inverness.

Lovat.

LYLE, LORD LYLE.

Lyle.

THE surname of L'isle, or Lyle, was first assumed by the proprietors of some of the western isles in the reign of Malcolm Canmore; they had also possessions in the county of Renfrew, where Duchal Castle was their principal seat.

I. WILLIAM de LYLE, witnessed the foundation charter of the monastery of Paisley by Walter, son of Alan, high steward of Scotland, in 1164; was one of the prisoners taken along with King William I. at Alnwick 1174, and died before 1200, leaving a son and successor,

Chartul. of Paisley. D.

Fœdera. D.

II. WILLIAM de LYLE, who witnessed a charter of donation by Walter, son of Alan, high steward of Scotland, along with William, Bishop of St Andrews, and Walter, Bishop of Glasgow, before 1232. He had two sons,

Chartul. of Paisley. D.

1. *Radulphus*,

2. Sir *Alan*, who witnessed several donations to the monastery of Paisley in the reign of Alexander II., being designed Dominus Alanus de Insula, miles.

Ibid.

III. RADULPHUS de LYLE, the eldest son, witnessed a charter of donation to the monastery of Paisley, along with Walter, Earl of Menteth, early in the reign of King Alexander III., being designed Radulphus de Insula, Dominus de Duchal; and he also, under the same designation, witnessed the vendition of the lands of Aldiston to the abbot of Paisley. His son,

Ibid.

Lyle.

IV. Sir WALTER LYLE, was one of the nominees on the part of Robert Bruce in his competition with John Baliol for the crown of Scotland, 1292. He had a son,

Fœdera. D.

V. Sir ALAN LYLE, who, joining Edward Baliol, was constituted sheriff of Bute and Cowal, 1334; but the people of that island rising in arms, slew him, and presented his head to the steward of Scotland. His son,

Fordun, II. 311, 316. Dalr. Ann. II. 192.

VI. Sir JOHN LYLE of Duchal, had a grant from King David II. Johanni de Lyle, militi, of the lands of Lathhame, in the constabulary of Haddington, but resigning them into the King's hands, that monarch granted them to Malcolm de Fauside, by charter dated 25th November

Reg. Mag. Sig. 46.

Lyle.

Robertson's Index, 38, 46.

1365. Sir John Lyle was one of the ambassadors to England, 1366; had charters from the same monarch of tenements in Aberdeen; and obtained from his Majesty

Reg. Mag. Sig. 48.

a grant, dated 15th March 1367-8, to John *del Yle*, and Margaret de Vaus, his wife, of the Kings lands of Buchane in Stirlingshire, to be held by them, and the heirs legitimately to be procreated betwixt them; which failing, to return to the King and his heirs. John de Lyle, Dominus de

Crawf. Peer. 296.

Duchal, miles, occurs in a charter of confirmation by Alan Erskine of Barochan, to Sir Robert Erskine, of the lands of Dunnerbok and Auchintorly. He had a son,

VII. Sir JOHN LYLE, who, in several

In Pub. Arch. D.

charters of King Robert II., is designed *Johannes, filius et hæres Johannis de Lyle, Domini de Duchal*, miles. He married one of the daughters and coheirs of the family of Marr, in whose right he laid claim to a part of the estate, and added the coat of Marr to his paternal arms. They had three sons,

1. Sir *Robert*.
2. *Alexander*, and
3. *William*, both mentioned in the chartulary of Paisley.

VIII. Sir ROBERT LYLE, the eldest

Fœdera, X. 327. D.

son, obtained a safe conduct to go up to King James I. while a prisoner in England, 1422; and was one of the hostages for his Majesty's ransom, 1424, when his annual revenue was estimated at 300 marks. Upon the death of Alexander Stewart, Earl of Marr, in 1435, he put in his claim as one of the heirs of that earldom, to which he and the Lord Erskine should have succeeded by right and proximity of blood, as Fordun's continuator remarks. But the King possessed himself of that earldom, and, it is probable, compounded with Sir Robert Lyle about his right thereto, as in all disputes betwixt his Majesty and Lord Erskine, concerning the earldom of Marr, there is no mention made of Sir Robert's title. He married Elisabeth, daughter of Sir John Stewart of Castlemilk, by whom he had a son,

IX. Sir ROBERT LYLE, who was created a peer by King James II. about 1446.

Lyle.

Nisb. Her. I. 219.

Robert, Lord Lyle, granted a precept to William Semple, son and heir of the lord of Eliotstoun, witnessed by Alexander and William Lyle, his father's brothers, 1452.

Chartul. of Paisley. D.

Mag. Sig. L. vi. No. 61.

A charter was granted to Robert, Lord Lyle, et heredibus masculis inter ipsum et Margaretam Wallace sponsam, legitime procreatis seu procreandis; quibus deficientibus, heredibus inter Robertum et Margaretam qualitercunque *genitis*, assignandis tamen per dictum Robertum, et heredibus masculis legitime procreandis ex eisdem; quibus deficientibus, legitimis heredibus masculis dicti Roberti quibuscunque; quibus deficientibus primogenitæ filiæ procreatæ inter eosdem Robertum et Margaretam, et heredibus masculis legitime procreandis ex eadem, *ita tamen quod maritus dictæ primogenitæ filiæ arma et cognomen dicti Roberti, Domini de Lile*, habeat recipiat et pro perpetuo retineat; remainder to Robert Lile, natural son of Robert, Lord Lile, and the heirs male of his body; remainder to the natural sons of Robert, Lord Lile, and the heirs male of their bodies; remainder to Andrew de Galbraith, and the heirs male of his body, taking the name and arms of Lile; remainder to Alexander Lile, eldest son and heir of Alan Lile of Craigbate, and the heirs male betwixt him and Elisabeth Lile, sister of the said Lord; remainder to William Lile, uncle (avunculus) of the said Lord, George Lile of Stanypeth, and John Lile of Ardarden, and the heirs male of their bodies respectively; remainder to the nearest heirs of Robert, Lord Lyle; of the capital messuage and manor of Lile, Dunnerbok, and Auchintwerle, &c. in the barony of Lile and county of Renfrew, as they were per quondam *primogenitum* Regis talliatæ dicto Roberto, on his resignation, 13th *April* 1466.

L. vii. No. 44.

Robert, Lord Lyle, had a charter of the King's lands of Castlehill, and the King's orchard and meadow of Renfrew, to him and the legitimate heirs male of his body; which failing, to Robert, his natural son, 22d July 1468; and he died about 1470.

He married, first, Margaret, eldest daughter of Andrew, Lord Gray, to a charter of whom to his son, Patrick, dated 1445, one of the witnesses is "Robert Lyle, Lord

Lyle.

"of Duchal, my son." By her he had a daughter,

Margaret, married to Alexander, son and heir of Alan Lyle of Craigbate.

He married, secondly, Margaret Wallace, by whom he had a son,

Robert, second Lord Lyle;—and a daughter,

Elisabeth, married to John Stewart of Blackhall.

X. ROBERT, second Lord LYLE, the only son, was a privy-councillor to James III., and an ambassador to England, in March 1472, when he concluded a truce with that nation. He was accused of sending letters into England to the traitor James of Douglas, and to other Englishmen, in treasonable manner, and also receiving letters from them, and in furthering of the King's enemies of England, and prejudice and skaith to the King, his realm, and lieges. He was tried in parliament, 22d March 1481-2, before an assize, the King sitting as judge, and declared free and innocent of the accusation. He was afterwards employed, four several times, to treat with the English, in 1484 and 1485; had a charter of Langbank, in Renfrewshire, 20th January 1484-5; and another of Bordland, in Forfarshire, 19th May 1485. He joined the party formed against King James III., and went, with some of his associates, to England in May 1488, under a safe conduct from King Henry VII. He was in England when James was murdered at Bannockburn, 11th June 1488; and returned home before 24th July that year, when a letter under the great seal was given to Robert, Lord Lyle, super constitutione ipsius in justiciarium infra bondas de Bute et Arran. Robert, Lord Lile, great justiciary of Scotland, was one of the commissioners for opening the parliament, 8th October 1488. He, however, joined the Earl of Lennox and others who took up arms to revenge the death of King James III.; they were defeated, and Lord Lyle was forfeited in June 1489; but the act of forfeiture is not now to be found in the records; for it was rescinded and annulled by the King and parliament, 5th February 1489-90; and in consequence thereof, his Majesty issued a precept to the clerk-register, ordering him to take furth of the books of parliament the process of forfeiture, and deliver the same to Lord Lyle, and to destroy the said process, so that it be never seen in time to come. He was restored to his office of justiciary; had charters of Dowald, &c. in Renfrewshire, 6th June 1491; of Newark, in the same county, 8th November 1491; and of Salsarhill, 8th October 1496. Having made a settlement of his estate, a charter was, in terms thereof, granted, 6th May 1495, to Robert Lile, son and heir apparent of Robert, Lord Lile, George, Nicholas, and John, his brothers, John Stewart of Ardgowan, and the heirs male of their bodies respectively; remainder to Peter Houstoun, and the heirs male betwixt him and Mariot Lile, his wife, daughter of Lord Lile; remainder to James Galbraith, &c. of the barony of Lile, Duchal, Buchan, Lundie, Dunnerbok, and Auchintwerly, in the counties of Renfrew, Dunbarton, &c.; Shiels, in Lanarkshire, and part of Kinpunt, in the county of Linlithgow; reserving her terce to Margaret Houstoun, wife of Robert, Lord Lile. He married, first, a daughter of John, Master of Seton, without issue; secondly, Lady Elisabeth Douglas, second daughter of Archibald, fifth Earl of Angus, by whom he had issue,

1. *Robert*, third Lord Lyle.

2. *George*.

3. *Nicholas*, who had a charter Nicholao Lile, filio carnali, Roberti Domini Lile, and the heirs of his body; which failing, to John, his brother-german, of the lands of Langbank, in the county of Renfrew, from his father, 1491.

4. *John*, who had a charter Joanni Lile, filio carnali Roberti Domini Lile, and the heirs of his body; which failing, to Nicholas, his brother-german, of some lands from his father, 22d August 1491.

1. *Margaret*, who had a charter to Margaret Lile, daughter of Robert, Lord Lile, from Matthew Stewart, son and heir apparent of John, Earl of Lennox, of the lands of Inchinnan, in Renfrewshire, 15th April 1494. She married James Stewart of Blackhall.

2. *Mariot*, married to Peter Houstoun of Houstoun.

3. *Agnes*, who had a charter Agneti

Lyle.

Fœdera, XI. 750. D.

Rec. Parl. 274.

Fœdera, XII. 230, 241, 267, 340 D.

Mag. Sig. L. xi. No. 4, 36.

Pinkerton, I. 127.

Mag. Sig. L. xii. No. 14.

Rec. Parl. 330, 356, 363.

Mag. Sig. L. xii. No. 219, 241. L. xiii. No. 168, 193.

L. xii. No. 235.

Ib. No. 284.

L. xiii. No. 86.

Ib. No. 128.

Lyle.

Lile, filiæ carnali Roberti Domini Lile, et heredibus masculis de corpore suo; quibus deficientibus, Nicholao Lile, fratro suo germano, et Joanni Lile, etiam fratri suo germano; of the lands of Newark, in Renfrewshire, from his father, 3d September 1492. She married John Maxwell of Stainly.

XI. ROBERT, third Lord LYLE, the eldest son, had charters to "Robert, son "and heir apparent of Robert, Lord Lile," and Mariot Lindsay, his wife, of the lands of Shiells of Kilbride, in Lanarkshire; and of Buchane, in Stirlingshire, 18th September 1497. He died 1511, leaving, by the said Mariot Lindsay, a daughter of the house of Dunrod, a son,

Mag. Sig. L. xiii. No. 247, 357.

John, fourth Lord Lyle;—and two daughters,

1. *Helen*, married to Alan, Master of Cathcart. They had a charter 1507.

2. *Catherine*, married to Archibald Maclachlan of Maclachlan.

XII. JOHN, fourth Lord LYLE, the only son, being under age at his father's death, the King assigned his wardship and marriage to James Betoun, archbishop of Glasgow; and he married a niece of the Archbishop, Grissel, daughter of David Betoun of Criech. A charter was granted, 9th May 1513, of the barony of Lundie, to her in liferent, and afterwards to John, Lord Lyle, and his heirs, si contigerit ipsam dicto Joanni in matrimonio copulari, heredibus inter ipsos legitime procreandis. He was served heir of Robert, Lord Lyle, his father, in the lands of Mylnhill and Burnflat, in Perthshire, part of the barony of Duchal, in Renfrewshire, 16th October 1545. By the said Grissel Betoun, he had a son,

L. xviii. No. 162.

Lyle.

Inq. Ret. i. 74.

John, who had a charter to John Lyle, son and heir apparent of John, Lord Lyle, of the manor and messuage of Lyle, in Renfrewshire, in unam baroniam de Lyle novodamus ac totum jus tituli, 29th August 1541, on his father's resignation. He died without issue;—and a daughter,

Mag. Sig. L. xxvii. No. 188.

Jean, married to Sir Niel Montgomery of Lainshaw, son of Sir Niel Montgomery of Lainshaw, third son of Hugh, first Earl of Eglintoun. Her descendant, James Montgomery of Lainshaw, tendered his vote, as Lord Lyle, at the elections of representative peers, 1721 and 1722; but it was not received. Sir Walter Montgomery tendered his vote as Lord Lyle, at the general election 1784, and at subsequent elections; but it was not received.

ARMS.—Gules, a fret, Or.

MACDONELL, LORD MACDONELL AND ARRASS.

Macdonell.

I. ALEXANDER MACDONELL of Glengary, descended from John, Lord of the Isles, married Margaret, the eldest of the three sisters and coheiresses of Sir Donald Macdonald of the Isles and Lochalsh, and daughter of Celestine, brother of John, Earl of Ross. She was served heir of her brother, 1515; and they had a son,

Cart. in Pub. Arch. D.

II. ANGUS, or ÆNEAS, MACDONELL of Glengary, who married Janet, only daughter of Sir Hector Maclean of Dowart, by whom he had a son,

Macdonell.

III. DONALD MACDONELL of Glengary, who, in the retour of his service, as heir of his grandmother, Margaret de Insulis, is designed Donald Mac Angus Macalister. He died 1630, having married Margaret, daughter of Alexander Macdonald, captain of Clanronald, by whom he had two sons,

Cart. in Pub. Arch. Ad. An. 1584. Crawf. Peer. 318.

Macdonell.

1. *Alexander.*
2. *Donald* Macdonell of Scothouse.

IV. ALEXANDER MACDONELL of Glengary, the eldest son, died soon after his father, leaving, by Jean, daughter of Allan Cameron of Locheil, a son,

Minutes of Parliament. D.

V. ÆNEAS MACDONELL of Glengary, who manifested his loyalty in an eminent manner to King Charles I. and II., for which he was forfeited by Cromwell, 1651. At the restoration, he was, in reward of his faithful services, created a peer, by the titles of Lord Macdonell and Arrass, by patent, dated at Whitehall, 20th December 1660, reciting, multa præclara officia nobismet ipsis et fratri nostro, a præfato Ænea temporibus etiam difficilimis præstita, et quanta fide omnique constantia nobis adhæserit, et quam fortiter ipse cum clientibus et amicis suis, pro occasione data, nobis semper paludatus adfuerit, et quam strenue inimicos nostros, non sine discrimine vitæ ejus et amicorum sibi adherentium, cum maxima dispendia et ruina fortunæ et patrimonii sui multoties oppugnaverit, the honours being limited to the heirs male of his body. He had charters of several lands and baronies betwixt 1661 and 1664. The privy-council, 18th July 1672, issued an order, commanding him, as chief of the name and clan of Macdonald, to exhibit before the council, on the first Tuesday of October thereafter, several persons of the name of Macdonald to find caution to keep the peace. His Lordship married Margaret, eldest daughter of Sir Donald Macdonald of Slate, by whom he had an only daughter, married to the Honourable James Montgomery of Coylsfield, fourth son of Alexander, sixth Earl of Eglintoun, and had issue. Dying without male issue, in 1680, his titles became extinct. His estate devolved on the heir male, Alexander Macdonell of Glengary, grandson of his uncle, Donald Macdonell of Scothouse. This Alexander Macdonell of Glengary died 1724. He married Lady Mary Mackenzie, fourth daughter of Kenneth, third Earl of Seaforth, by whom he had John Macdonell of Glengary, father of Colonel Angus Macdonell, father of Duncan Macdonell of Glengary, father of Alexander Macdonell, now of Glengary, who married, 20th January 1802, Rebecca, second daughter of Sir William Forbes of Pitsligo, baronet, and has issue.

Mag. Sig. L. ix. No. 8.

Doug. Bar. 564.

Macdonell.

ARMS.—Or, an eagle displayed, gules, surmounted of a galley, sable, the sails furled up, and rigging proper; in the dexter chief point, a dexter hand couped in fess, of the second; and, in the sinister, a cross crosslet fitchee, of the third.

CREST.—A raven, proper, perching on a rock, azure.

SUPPORTERS.—Two bears, each having an arrow pierced through his body, proper.

MOTTOS.—Above, *Craggan an phithich;* below, *Per mare, per terras.*

DUNBAR, EARL OF (DUNBAR AND) MARCH.

March.

OF this very great family, highly renowned for martial prowess, the first on record is,

Hovedon, 424. D.

I. COSPATRICK, Earl of Northumberland, the son of Maldred, by Algatha, daughter and heiress of Uthred, Prince of Northumberland, by Elgiva, daughter of Etheired, King of England. After the conquest of England, by William the Norman, 1066, Cospatrick, and other northern nobles, disgusted at his government,

March.

March.

Dalr. Ann. I. 8, 10, 17.

retired into Scotland, 1068, with Edgar, the heir of the Saxon line, and his sister, Margaret, and sought the protection of Malcolm III. who soon after espoused Margaret. Cospatrick, assisted by the Danes, invaded England, 1069, stormed the castle of York, and put the Norman garrison to the sword. But, the same year, he submitted to William, on being deserted by the Danes. However, in 1072, William depriving Gospatrick of the government of Northumberland, under the pretext that he had secretly instigated the murder of Comyn, the former governor, Cospatrick retired into Scotland, and was kindly received by Malcolm Canmore, who bestowed on him the manor of Dunbar, and many fair lands in the Merse and Lothian. His conduct shewed that the favours of Malcolm were not misplaced, for he served him faithfully, maintaining his fidelity amidst the temptations of independence, and contributed greatly to establish peace and order in the kingdom. He had three sons,

1. *Dolfyn.*
2. *Cospatrick.*
3. *Waldeve*, witness to the inquisitio Davidis, 1116, who obtained from Ranulph and William de Meschines, great estates in Cumberland and Westmoreland.

Caledonia I. 499.

II. COSPATRICK, the second son, succeeded his father in his Scotish property. Cospatricius, frater Dolphini, witnessed the foundation charter of Scone by Alexander I. in 1115. The inquisition made by David, Prince of Cumberland, into the possessions of the church of Glasgow, in 1116, had, among other witnesses, Cospatricius, frater Dolphini, and Waldef, frater suus. Cospatrick, the brother of Dolfyn, witnessed the foundation charter of the abbey of Holyroodhouse by King David I., 1128. He had, soon afterwards, the rank of an Earl; for, in a donation, dated 1130, to the prior and convent of Durham, and to the monks of Coldingham, of the church and town of Edrehame and town of Nisbet, he is designed Cospatricius Comes, frater Dilfun. This donation was confirmed by King David I. to the monks of Coldingham, 16th August 1139; on which day, Earl Cospatrick died, as appears from these words, ea die, quâ fuit vivus et mortuus. He is said to have had a daughter married to Philip de Montgomery, and a son,

Chartul. of Scone. D.

Sir Ja. Dalrymple's Collections, p. 337.

Robertson's Index, 126.

Ib. 82. Original Writs of Coldingham, penes Macfarlane, 67, 9. D.

March.

III. COSPATRICK, second Earl, who, under the designation of Cospatricius Comes, filius Cospatricii, witnessed a charter of King David I. to the monastery of Newbottle, dated in 1140. He made donations to the monastery of Kelso, of the patronage of the churches of *Home*, Lambden, and Greenlaw, and to the church of St Nicholas of Home of a carucate of land, which his three sons, Cospatrick, Edward, and Edgar, witnessed, and gave their consent to. He died in 1147, leaving issue,

Chartul. Newbottle and Kelso. D.

1. *Cospatrick*, third Earl.
2. *Edward.*
3. *Edgar*, who appears to have been ancestor of those of the sirname of Edgar.
4. *Uchtred*, ancestor of the family of Dundas of Dundas, as is supposed.

IV. COSPATRICK, third Earl, the eldest son, is stiled Cospatricius Comes, filius Com. Cospatricii. He founded the Cistertian nunnery of Coldstream, to which he gave the half of the church of Layvel, some lands in Layvel and Birghame. He also confirmed to the same the church of Hirsel, with a carucate of land, which had been given by Derder, his countess. These donations were witnessed by Derder, Comitissa, and Waldevus, son of Earl Gospatrick. He also founded another Cistertian nunnery at Eccles, in Berwickshire, which he largely endowed, and died in 1166. He left two sons,

Chartul. Kelso, Coldstream, 70, 71. Melrose. D.

1. *Waldevus*, fourth Earl.
2. *Patrick*, ancestor of the Earls of Home.

V. WALDEVE, fourth Earl, is the first of the family designed Comes de Dunbar. Earl Waldeve was one of the hostages for the performance of the treaty for the release of King William I. from captivity in 1174. Waldevus, Comes de Dunbar, confirmed the donations of the churches of Layvel and Whitechester to the religious, by a charter, to which his brother Patrick

Chron. Melrose, 175.

Fœdera, I. 39.

Chartul. Coldstream, 72. D.

March. Caledonia, II. 240.

is a witness. He died in 1182, leaving, by Alina, his countess, who died in 1179, two sons,

1. *Patrick*, fifth Earl of Dunbar.

Original Writs of Coldingham, p. 117. D.

2. *Constantine*, mentioned with his brother in a donation to the monastery of Coldingham.

VI. PATRICK, fifth Earl of DUNBAR, Caledonia, II. 240. the eldest son, was liberal to his vassals, and a brave soldier. About the end of the twelfth century, he was justiciary of Lothian and keeper of Berwick. He attended William the Lion to Lincoln in 1200, when the Scotish King did homage to King John for his lands in England. He Chartul. Coldstream, 230, and Kelso. D. confirmed the donations of his predecessors, Earl Cospatrick, and his father, Earl Waldeve, to the religious, his charter being witnessed by William, his son. He founded a monastery of Red-friars at Dunbar in 1218, and Ada, his countess, founded a Cistertian nunnery at St Bothans. He Caledonia, II. 240. granted to the monks of Kelso the chapel of Halyburton, and a carucate of land in Bothkilsheales; and to the monks of Melrose, all his arable land of Sorrowlesfield on the Leader. With these monks he had a dispute about the pasture on the west side of the Leader, which was amicably settled in presence of the King at Selkirk. He gave to the canons of Dryburgh the lands of Elvinsley, and two bovates of land in Ercildun. Earl Patrick attended Alexander II. in June 1221 to York, where Fœdera, I. 252. he witnessed the King's marriage with Joan, eldest daughter of King John. Patrick, Earl of Dunbar, invited his children, relations, and neighbours to celebrate Christmas, 1231, at his castle. After a Dalr. Ann. I. 332. festivity of four days, he sent for the abbot of Melrose; received extreme unction; assumed the monastic habit; bade farewell to his guests; quietly expired, at the extremity of an honourable life; and was buried at Eccles. He married, in 1184, Ada, one of the natural daughters of King William I., and by her, who died in 1200, had three children,

1. *Patrick*, sixth Earl of Dunbar.

Chartul. Kelso, 205. D. 2. *William*, designed filius Comitis Patricii, in a donation to the monastery of Kelso, 1241. He died in 1253, having married Christiana de Corbet, daughter and heiress of Walter de Corbet of Makerston, with whom he got that estate, and by her, who died in 1241, had two sons, Nicholaus de Corbet of Makerstoun, and Patricius de Corbet of Fogo. March. Chartul. Melrose. D.

Daughter, *Ada*, who got from her father the lands of Home, and was married, first, to a gentleman of the name of Courtenay, by whom she had no issue; secondly, to her cousin, William, son of Patrick, second son of Cospatrick, the third Earl, who assumed the name of Home, and was progenitor of the Earls of Home.

VII. PATRICK, sixth Earl of DUNBAR, Caledonia, II. the eldest son, succeeded his father in 242. 1231. He granted to the monks of Dryburgh a messuage in his burgh of Dunbar, and renounced to the monks of Melrose his claim to some disputed marches betwixt his lands and theirs in Lower Lauderdale. He commanded the army sent, in 1235, against the bastard of Galloway and his Irish followers, whom he compelled to submit. He witnessed the treaty made betwixt King Alexander II. of Scotland, and Henry II. of England at York, 1237, and was one of the guarantees thereof. He was also one of the guarantees in another treaty betwixt these Kings, 1244; and going on the crusade with Louis IX. of France, he died in that expedition at Damietta in Egypt, 1248. Previous to his departure, in 1247, he sold to the monks of Melrose his equicium, or stud, which he had in Lauderdale on the Leaderhaughs, to defray his expences.

He married Euphemia, daughter of Walter, high steward of Scotland, with whom he got the lands of Birkensyde in Lauderdale, which had been granted to the first steward, by Malcolm IV. Out of these lands, an annuity of a mark of silver was granted by her husband to the monks of Dryburgh, confirmed by Euphemia, wife of the deceased Patrick, Earl of Dunbar, in her widowhood. They had a son,

VIII. PATRICK, seventh Earl of DUNBAR, who succeeded his father 1248, at the age of thirty-five, and he had then a son, five years old. During the turbulent Caledonia, II. minority of Alexander III., he was one of 243.

March. the English faction, and was formally received into the protection of Henry III. in August 1255; and, the same month, headed a party who surprised the castle of Edinburgh, and got Alexander III. and his Queen out of the power of the Cumyns. He was one of the regents of the kingdom, and guardians of the King and Queen, nominated by the treaty of Roxburgh, in September 1255. He led his warlike vassals to the battle of Largs, 1263, where he commanded the left division of the Scotish army, and defeated the Norwegians. He appended his seal to the treaty, signed at Perth, 6th July 1266, between Alexander III. and Magnus IV. of Norway, for ceding to the Scotish King the Isle of Man and the Hebrides. He and Patrick, his son, witnessed the marriage contract of Margaret of Scotland with Eric of Norway, 25th July 1281. He was one of the magnates Scotiæ who engaged to support the succession of the Maiden of Norway to the Scotish throne, at Scone, in February 1284. He and his three sons, Patrick, John, and Alexander, associated, 20th September 1286, to support his father-in-law, Robert Bruce, in his competition to the throne; and he died, as appears from an inquisition taken after his death, in December 1289, being then about 76 years of age.

He married Christian, only daughter of Robert de Brus, the competitor, by whom he had three sons,

1. *Patrick*, eighth Earl of Dunbar.
2. *John*.
3. *Alexander*.

Caledonia, II. 247.

IX. PATRICK, eighth Earl of DUNBAR, the eldest son, succeeded his father, 1289, at the age of forty-seven.[qu.?] He appeared in the parliament at Brigham, in March 1290, for betrothing Margaret of Scotland to the son of Edward I., and is called in the record Comes de Marchia, being the first instance in which the Earls of Dunbar were designed by that title. After the demise of Margaret, Patrick, Earl of March, appeared as one of the competitors for the Scotish crown, to which he entered a formal claim at Berwick, 3d August 1291, as the great grandson of Ada, daughter of William the Lion. But his claim was soon withdrawn, and he appeared as one of the nominees of his grandfather, Bruce, in the competition. He swore fealty to Edward I., 13th June 1291, and was summoned to attend Edward into Gascony, 1294. When hostilities commenced betwixt the Scots and English 1296, the Earl of Dunbar adhered to the latter; but his wife, favouring the Scotish interest, retained the castle of Dunbar for Baliol. She was obliged, however, to surrender that important place at discretion to Edward, 29th April 1296. Patrick, Earl of Dunbar and March, adhered to the English interest to the conclusion of his life, acting an important part; and died, as appears by the inquisition taken after his death, in 1309, at the age of sixty-six, [qu.?] leaving by his wife, Marjory Cumyn, daughter of Alexander, Earl of Buchan*, a son, March.

X. PATRICK, ninth Earl of DUNBAR and MARCH, then twenty-four years of age. He adhered to the English interest; and, after the battle of Bannockburn, 1314, received Edward II. into his castle of Dunbar, from whence he was conveyed by sea into England. The Earl now made his peace with his cousin, King Robert I., and was present in the parliament at Ayr, in April 1315, when the succession to the crown of Scotland was settled. He contributed to the capture of Berwick from the English, in March 1318, being at that time Sheriff of Lothian. He signed the letter to the Pope, asserting the independency of Scotland, 1320. He commanded, in 1332, one of the armies of King David II.; but the fatal termination of the battle of Duplin obliged him to dismiss his forces. He was appointed governor of the castle of Berwick, and was besieged by Edward III., in 1333. The battle of Halidonhill decided the fate of that important place, which was surrendered to Edward, 19th July 1333. The Earl of Dunbar and March was received into the protection of the conqueror, and engaged to repair his castle of Dunbar, and garrison it with Caledonia, II. 247.

* In a letter of the Earl of March to Henry IV., 18th February 1399-1400, he says, If Dame Alice the Bewmont was your grand-dame, Dame Marjory Comyn, her full sister, was my grand-dame on the other side. Pinkerton, I. 419.

March. English. He attended Edward Baliol at the parliament of Edinburgh, 12th February 1333-4. But, in December 1334, he renounced his allegiance to Edward III., who was advancing through the Merse with an overpowering force. The Earl of Dunbar and March attended the parliament called by the Regent of Scotland, at Dairsie, in April 1335. Edward III. and Baliol coming into Scotland with a great army in July that year, the Earl found means to cut off a detachment of the English forces on their return southward. He assisted in defeating the Count of Namur on the Borough-moor of Edinburgh, 30th July 1335, and surprised and defeated the Earl of Atholl at Kilblain that year. While the Earl was thus exerting himself manfully, he left his castle of Dunbar in charge of his Countess, Black Agnes, the heroic daughter of Randolph, Earl of Moray. The English, under the Earl of Salisbury, came before it in January 1337-8; the gallant Countess performed all the duties of a vigilant commander; animated the garrison by her exhortations and munificence, and braved every danger; and the English were obliged to retire after a siege of nineteen weeks. At the fatal battle of Durham, 17th October 1346, the Earl of Dunbar and the Steward of Scotland commanded the left wing of the royal army. After the fate of the day was decided, they made their retreat good, though not without loss. Thomas, Earl of Moray, being killed there, his heroic sister, Agnes, Countess of Dunbar, became sole possessor of his vast estates, and the Earl of Dunbar now assumed the additional title of Earl of Moray, although it was a male fee. Besides the earldom of Moray, the Earl and Countess obtained the Isle of Man, the lordship of Annandale, the baronies of Morton and Tibbers in Nithsdale; of Morthingtoun, Longformacus, and Dunse in Berwickshire; with Mochrum in Galloway; Cumnock in Ayrshire; and Blantyre in Clydesdale. He exerted himself for the liberation of King David II.; and was one of the sureties for the King's fulfilment of the conditions incumbent on him on his release from captivity, 1357. David granted him the castlewards of all his lands, a pension of L.40 sterling a-year, 1362, and erected the town of Dunbar into a free burgh in his favour, 1369. The Earl confirmed the grants of his predecessors to the churches of Durham and Coldingham 1367, and was one of the commissioners for settling the affairs of the marches that year. He made frequent journies to England, and visited the shrine of Becket at Canterbury. He was one of those appointed by the parliament of Perth, 6th March 1368-9, to watch over the general state of the kingdom. Being now 84 years of age, he resigned his earldom of March and his estates to his eldest son, George, who received a confirmatory charter thereof from David II., 25th July 1368, wherein the father is designed Patricius Dunbarr, miles, ultimus Comes ejusdem. He did not long survive this resignation. March.

By his wife, Lady Agnes *Randolph*, daughter of Thomas, Earl of *Moray*, regent of Scotland, sister and heiress of John, Earl of Moray, he had issue,

1. *George*, tenth Earl of March.
2. *John*, Earl of Moray.

1. Lady *Margaret*, married to William, first Earl of Douglas.

2. Lady *Agnes*, married to James Douglas, Lord of Dalkeith; she got, in marriage, from her brother, the lands of Mordington in Berwickshire, confirmed by King Robert II., 6th December 1372; Whittingham, in the county of Haddington; and L.100 land in the Isle of Man, how soon it could be recovered.

3. Lady *Elisabeth*, married to John Maitland of Leithington, ancestor of the Earls of Lauderdale. When the second Earl of Lauderdale was created a Duke, he chose for his second title that of Marquis of March, to indicate his descent from the Earls of March*.

XI. GEORGE, tenth Earl of DUNBAR and MARCH, the eldest son, obtained, on his parents resignation, half of the baronies of Tibris and Morton in Dumfriesshire, of which he had a charter of con- Caledonia, II, 253.

* It is said that the Earl of Dunbar and March had a fourth daughter, Lady Mabella, the wife of William, fifth Earl of Sutherland; but this seems a mistake.

firmation from David II., 28th June 1363. On his father's resignation, he had a charter of the earldom of March, to him and his heirs, 25th July 1368; also the lands of Cumnock, in Ayrshire, Blantyre, in Lanarkshire, and Glenkens and Mochrum, in Galloway. From his mother he inherited the lordship of Annandale, the Isle of Man, and the baronies of Mordington, Longformacus, and Dunse, in Berwickshire. This powerful Earl was one of the wardens of the marches, 1372; and was present in the parliament of Scone, April 1373, when the succession to the crown of Scotland was settled. He was much engaged in border warfare. When John de Vienne, the French admiral, came into Scotland, with 40,000 livres, in November 1385, to distribute among the principal men of Scotland, the Earl of Dunbar had for *his* share 4000. He accompanied the Earl of Douglas in his incursion into England, 1388; after the battle of Otterburn the command of the Scots devolved on the Earl of Dunbar, who conducted them safely home.

In the year 1399, Lady Elisabeth Dunbar, daughter of the Earl of March, was betrothed to the Duke of Rothsay, the son of King Robert III., and heir of the Scotish throne. The Earl is said to have paid to the Duke a large part of her matrimonial portion, and he gave a bond, under his seal, to perform his espousals. But, disregarding this contract, the Duke married, in Bothwell church, in February 1400, Marjory, daughter of Archibald, third Earl of Douglas. The Earl of March complained to Henry IV., by letter, dated at his castle of Dunbar, 18th February 1399-1400, of the wrong done to him, and requested a safe conduct to come into England, which was granted. Leaving his castle of Dunbar, in charge of his nephew, Maitland of Leithington, the Earl of March retired into England, in July 1400. Henry was then marching towards Scotland, the Earl met him at Newcastle, and renounced his allegiance to "Robert, that pretends "himself King of Scotland." The English King engaged to give the Earl and Christian, his wife, some manors in England; and the Earl gave his son, Gawyn, as a hostage. Henry now advanced to Edinburgh, but soon retired. Dunbar castle yielded to the Scots at the first summons. In the negotiation that followed, in November 1400, the Scotish King demanded the Earl of March. Henry required that his estates might be restored; but neither demand was granted. The Earl of March, in February 1401, made a wasteful inroad into Scotland. He made another, in June 1402, which led to the battle of Halidonhill, where the Scots were worsted; and he was at the battle of Shrewsbury, 1403, where his conduct greatly contributed to the defeat of the Percies. The Earl of March obtained from Henry IV., 10th May 1407, a pardon to himself, his son Gawyn, and thirty-eight of his men, with their wives, for the murder of John Bleswell, at Nanneby, in a dispute with the Dean and Chapter of Lincoln about tithes. He now negotiated with the Regent, Duke of Albany, for liberty to return home, which was not effected without sacrifices in his property, nor was his earldom placed beyond the reach of forfeiture. The Earl of Douglas would not consent to his restoration, till he had obtained the castle of Lochmaben, and the lordship of Annandale, in lieu of the castle of Dunbar and earldom of March, which he possessed; and, accordingly, Albany granted a charter of Lochmaben and Annandale, to Douglas, and his heirs male; which failing, to return to George, Earl of March, and the heirs male, on March's resignation. The Earl of March returned to Scotland in 1409. He witnessed a charter of Walter Haliburton, who had the principal hand in his restoration, at Dirleton, 8th June 1409. He was one of the commissioners for negotiating a truce with England, 1411; and died, in 1420, at the age of 82, and upwards.

He married Christian, daughter of Sir William Seton of Seton*, and by her had issue,

1. *George*, eleventh Earl of Dunbar and March.

2. *Gawyn*, or *Wawan*, who, in 1411, broke down the bridge of Roxburgh, and burnt the town, which the English had long possessed. Fordun, II. 447.

* A letter of the Countess to Henry IV. is printed in Pinkerton's Hist. II. 450.

March.

3. *Colin.*

Fordun, II. 435. Fœdera, IV. iv. 124.

4. Sir *Patrick* Dunbar of Beill, taken at Hamildon, 1402. He was a hostage for James I. in England, 26th July 1426, when a safe conduct was granted to his wife and four servants, to repair to him in England. He was ambassador with his brother, the Earl of March, to England, 1429. Two charters of George de Dunbar, Earl of March, to Patrick Dunbar of Biel, knight, of several lands in Berwickshire, were confirmed, 24th April 1452, by James II. His son, Hugh Dunbar, sold his lands of Beill, in East Lothian, and the mill of Mersington, in Berwickshire, to Robert Lauder of Edrington, 13th September 1489.

Mag. Sig. L. iv. No. 236.

In Pub. Arch. D.

5. *John.*

Fordun, II. 503.

6. Sir *David* Dunbar of Cockburn, who was the first that came to the assistance of King James I., when attacked by his assassins, 1437. Sir David slew one, and wounded another, but was overpowered, and left disabled. A charter was granted, 7th February 1425-6, ratifying the donation which the deceased George Dunbar, Earl of March, and George Dunbar, now Earl of March, made to David Dunbar, son of the said deceased George, of the lands of Cockburn and Breghame. His only daughter and heiress, Mariota, married Alexander, second Earl of Crawford.

Mag. Sig. L. ii. No. 33.

1. Lady *Elisabeth*, betrothed, in 1399, to David, Duke of Rothsay.

2. Lady *Janet*, married, first, to John, Lord Seton; secondly, to Sir Adam Johnston of Johnston.

Caledonia, II. 202.

XII. GEORGE, eleventh Earl of DUNBAR and MARCH, the eldest son, succeeded his father, 1420, being then almost 50. He obtained from King Robert II., in 1390, a grant of his ward, relief, and marriage, for the earldom of March, and lordship of Annandale; and, failing him, to his brothers Wawan, Colin, Patrick, and John. He appears in various public transactions during the last twenty years of his father's life, and seems to have held the castle of Colbrandspath during his father's residence in England. He acted as a commissioner for liberating Murdac, son of the Regent Albany, in 1411 and 1415. He was much employed in negotiating the freedom of James I., and went up to meet him at Durham on his return to Scotland, 1424. He was arrested with Murdac, Duke of Albany, 21st March 1424-5; but sat on his trial, 24th May following. During several years, the Earl was employed to make or preserve the frequent truces with England; in June 1429, he and his brother, Sir Patrick, were two of the ambassadors sent to England to negotiate a final peace; and, again, in January 1430. That year he was one of the conservators of truce with England, and was one of the sponsors for King James II. A reverse of fortune now attended the Earl of March; he was imprisoned in the castle of Edinburgh, in 1434; the Earl of Angus, Chancellor Crichton, and Hepburn of Hales, were sent to take possession of his castle of Dunbar, which was readily surrendered to them, and Hepburn was left as constable to keep the castle. In a parliament held at Perth, 10th January 1434-5, George, Earl of March was accused, not for any treason committed by him, but for holding his earldom and estates, which had been forfeited for his father's guilt. In vain did he plead that his father had been pardoned and restored by Albany; it was answered, that a forfeiture incurred for treason, could not be pardoned by a regent; and the parliament, in compliance with this reasoning, having heard Sir George de Dunbar, knight, on his part, adjudged quod ratione forisfacturæ Georgii de Dunbar, quondam Comitis Marchie et Domini de Dunbar, omne jus tam proprietatis quam possessionis omnium et singularum terrarum Comitatus de Marchie et Dominii de Dunbar, aliarumque terrarum quas de dicto domino rege tenuit, cum omnibus et singulis suis pertinen. fuisse spectasse et pertinuisse ac esse spectare et pertinere, tam in possessorio quam in petitorio, ad dominum nostrum regem. Thus it was found that the earldom and estates of George de Dunbar, knight, were vested in the crown. According to Fordun, the King created him Earl of Buchan, as some amends for this hard decision. But Fordun goes on to say, that, after the death of James, there was granted, with consent of the three estates, to him, and his son and heir, Patrick, out of the said earldom, the sum

March.

Rec. Parl. 72.

March. of 400 marks annually. After this grievous reverse, the Earl and his son retired with their families to England, where they resided in obscurity, which formed a sad contrast to the dignified splendour which their fathers had enjoyed. They appear, however, to have kept the barony of Kilconachar, in Fife, which, as it had been held under the Bishop of St Andrews, seems not to have been involved in the forfeiture of the honours and lands which were held in chief of the King. Thus ended the long line of the Earls of Dunbar and March, who, for many generations, enjoyed vast estates and influence. George, Earl of Dunbar and March, appears to have been twice married; by his first wife, Beatrix, he had a son, *Patrick;* and he obtained, in 1421, a dispensation for the
A. Stuart, 452. marriage of George de Dunbar, Comitis Marchiarum regni Scotiæ, with Halysie, daughter of the late William de Haya, knight, Lord of Vhestyr (Yester,) permitting them to marry, notwithstanding that they were in the fourth degree of consanguinity, and that Beatrix, the deceased first wife of George, was in the second degree of consanguinity to the lady. Whether this last marriage took place is uncertain, Alicia, daughter of Sir William Hay of Yester, having married Sir Gilbert Hay of Errol.

XIII. PATRICK DUNBAR, son of George, Earl of March, possessed the lands and barony of Kilconquhar, in Fife, which they held of the Bishop of St Andrews, who granted a charter Patricio Dunbar, filio et heredi Georgii Comitis de March, terrarum baroniæ de Kilconquhar, circa annum 1457; and his posterity continued in possession of these lands for several generations afterwards, till the last of them died in the reign of Queen Mary. March. Book of Original Charters belonging to Macfarlane, D.

ARMS.—A lion rampant.

The earldom of March was conferred by King James III., in 1478, on his brother, Alexander, Duke of Albany, on whose forfeiture the earldom of March, the baronies of Dunbar and Colbrandspath, the castle of Dunbar, and fortalice of Colbrandspath, the lordship of Annandale, with the castle of Lochmaben, were annexed to the crown by act of parliament, Rec. Parl. 323.
1st October 1487. The earldom of March was conferred on Robert Stuart, grand-uncle of King James VI., on his giving up the earldom of Lennox to his nephew, Esme Stuart of Aubigny, as mentioned under the title Earl of Lennox; and he had a charter of the earldom of March and lord- Mag. Sig. L. xxxv. No. 655.
ship of Dunbar, 25th October 1582, erecting the same of new into an earldom. Dying without legitimate issue, 1586, the title reverted to the crown. Lord William Douglas, second son of William, first Duke of Queensberry, was created Earl of March 20th April 1697; his grandson, William, third Earl of March, succeeded as fourth Duke of Queensberry, in 1778; but, dying without issue, in December 1810, the title of Earl of March, it is supposed, became extinct.

HOME, EARL OF MARCHMONT.

Marchmont. Case of Alexander Home, Esq. claiming the title of Earl of Marchmont.

I. SIR DAVID HOME, second son of Sir Thomas Home of Home, (Vol. I. p. 732,) got from his father the lands of Thurston, in East Lothian; and from Archibald, Earl of Douglas, a grant of the barony of Wedderburn, in the earldom of March, and county of Berwick, anno 1413; which received a royal confirmation, 19th April Marchmont.

Marchmont. Mag. Sig. L. iii. No. 106. L. iv. No. 22.

1430. On his resignation an additional charter of the barony of Wedderburn was granted, 16th May 1450, to him and Alicia, his wife, and the longest liver of them two, and, after their decease, to George Home, son of the deceased David Home, son of Sir David the resigner, and the heirs male of his body; which failing, to Patrick Home, brother-german of George, and the heirs male of his body; which failing, to Alexander Home, brother-german of the said deceased David, and the heirs male of his body; which failing, veris, legitimis, et propinquioribus hæredibus dicti David militis resignantis quibuscunque. He had two sons,

1. *David*.
2. *Alexander*.

Marchmont Case.

II. David Home, the eldest son, died before his father, leaving, by Elisabeth Carmichael, his wife, three children,

1. *George*.
2. Sir *Patrick* Home of Polwart, ancestor of the Earls of Marchmont.

Daughter, *Sibilla*, married, in 1470, to Henry Haitly of Mellerstanes.

Ibid.

III. George Home, of Wedderburn, the eldest son, was retoured heir in special of Sir David, his grandfather, in the barony of Wedderburn, 12th May 1469. He married Marion, or Mariota, eldest of the two daughters and co-heirs of John Sinclair of Herdmanston, with whom he got half of the lands of Polwart and Kimmerghame, in the county of Berwick. A charter was granted, 15th May 1470, by Archibald, Earl of Angus, of half of the lands of Kimmerghame, to them and the heirs male procreated, or to be procreated, betwixt them; which failing, to Patrick Home, his brother-german, and Alexander Home, grandson and heir-apparent of Sir Alexander Home of Home, knight, and the heirs male of their bodies respectively. George Home of Wedderburn was killed by the English, near his own house, 18th May 1497; a cross was erected on the spot where he fell, which still remains. By Mariota Sinclair, his wife, he had a son,

IV. Sir David Home of Wedderburn, in whose favour a charter of half of the lands of Polwart, with the chief mansion-house, was granted by Alexander, Duke of Albany, Earl of March, the feudal superior, on the resignation of Mariota Sinclair, his mother, 27th April 1479, wherein he is designed son and heir-apparent of George Home of Wedderburn. He was retoured heir of George, his father, in the half of the lands of Kimmerghame, 8th June 1499; and he fell, along with his eldest son, George, in the fatal battle of Flodden, 9th September 1513. He married Isobel, daughter of David Hoppringle of Galashiels, by whom he had three daughters, *Isobel*, married to Patrick Cockburn of East Borthwick, tutor of Langton; *Mariot*, married to John Towers of Innerleith; and *Margaret*, married to John Swinton of Swinton; and seven sons, called the Spears of Wedderburn,

Marchmont. Writs of the family.

Buchanan, L. xiv. Sect. 19.

1. *George*, killed at Flodden, 9th September 1513, without issue.
2. *David* Home of Wedderburn.
3. *Alexander* Home of Manderston, ancestor of the Earl of Dunbar, the Homes of Renton and Coldingham, baronets, and of George Home Drummond of Blair-Drummond, as mentioned Vol. I. p. 453.
4. *John*, who, in 1518, married Beatrix, eldest of the two daughters and co-heirs of Robert Blackader of Blackader, ancestor of the Homes of Blackader, baronets.

Records of Session.

5. *Robert*, who married Margaret, youngest daughter and co-heir of the said Robert Blackader; their son, David, had a charter of Rowanston, 23d November 1569; and died without male issue.

Mag. Sig.

6. *Andrew* Home, rector of Lauder.
7. *Patrick* Home of Broomhouse.

V. David Home of Wedderburn, the second eldest son, obtained a precept of clare constat from Archibald, sixth Earl of Angus, for infefting him as heir of Sir David, his father, in the lands of Woolie, in Jedburgh forest, 12th June 1515. He was the principal actor in the slaughter of Anthony D'Arcy de la Bastie, deputy-warden of the East Marches, 19th September 1517; and he fell in an action with the English in July 1524. He married Alison Douglas, sister of Archibald, sixth Earl of Angus, the widow of Robert Blackader of Blackader, by whom he had two daughters; *Isobel*,

Marchmont Case.

Pinkerton, II. 170.

Marchmont.

married to Sir Patrick Nisbet of Nisbet; and *Margaret*, married to Robert Ker of Ancram, ancestor of the Marquis of Lothian; and three sons,

Marchmont Case, and writs of the family.

1. *George* Home of Wedderburn, who was retoured heir in special of his father, David, in the barony of Wedderburn, 20th November 1524, and of his grandfather, Sir David, in half of the lands of Polwart, in 1545. He fell, fighting in defence of his Queen and country, at the battle of Pinkie, 10th September 1547, without issue by his wife, Janet Hepburn. They had a charter of half of the lands of Polwart, 28th August 1546.

Mag. Sig. L xxix. No. 326.

2. *David* Home of Wedderburn.

3. *John* Home of Crumstane.

VI. David Home of Wedderburn, the second son, was taken prisoner by the English at the battle of Pinkie, 1547. He had a gift under the privy seal of non-entry duties due to the Crown since the demise of George Home of Wedderburn, his brother, 28th June 1564, and died in July 1574. By his wife Mariota, daughter of Andrew Johnston of Elphinston, he had three daughters: *Juliana*, married to Sir John Gordon of Lochinvar, ancestor of Viscount Kenmure; *Anna*, married to Patrick Cockburn of Langton; and *Mariot*, married to Andrew Ker of Faudonside; and four sons,

Privy Seal Records.

1. Sir *George* Home of Wedderburn.

2. *David* Home of Godscroft, who wrote the history of the House of Douglas and Angus, also an account of his own family in Latin.

3. *James* Home, parson of Hilton.

4. *John*.

Marchmont Case.

VII. Sir George Home of Wedderburn, the eldest son, was retoured heir of his father David, 6th October 1574, appointed warden of the east marches by commission dated 6th September 1578, and comptroller of Scotland in 1597. A royal charter was granted, 12th September 1597, of several lands in the county of Berwick, with the keeping of the castle of Berwick-upon-Tweed, to Sir George Home of Wedderburn, knight, and Dame Jean Haldane his wife, in liferent, and in fee to David their son and heir apparent, and his heirs male, bearing the name and arms of Home. Sir George Home died in November 1616, leaving by his wife, Jean, daughter of John Haldane of Gleneagles, one son, Sir *David*; —and three daughters,

Privy Seal Records.

Mag. Sig. L. xli. No. 356.

Marchmont.

1. *Mary*, married to Sir James Dundas of Arniston.

2. *Jean*, married to John Stirling of Keir.

3. *Margaret*, married to ——— Macdougal of Makerston.

VIII. Sir David Home of Wedderburn, the only son, was retoured heir in special of Sir George his father, 10th April 1617, and was, with his only son, killed at the battle of Dunbar, 3d September 1650, fighting against Cromwell.

Marchmont Case.

Sir David married Margaret, daughter of Sir John Home of Coldingknows, ancestor of the present Earl of Home, the widow of Sir Mark Ker of Dolphinston, and by her had a daughter, *Isobel*, married, in 1642, to Aulay Macaulay of Arncaple, in the county of Dunbarton; and a son,

IX. George Home, who, as already observed, fell with his father at the battle of Dunbar, 3d September 1650. He married, contract dated 14th August 1635, Katharine, daughter of Alexander Morison of Prestongrange, a Lord of Session from 1626 till his death in 1632, and by her had two daughters, *Katharine*, married to John Bethune of Blebo in Fife, and *Margaret*; and a son,

Marchmont Case.

Writs of the Family.

X. George Home of Wedderburn, born in 1641, who was retoured heir in general to his father, George, 25th August 1664, and obtained a royal charter of the lands of Whitsome, which had belonged to Sir David his grandfather, 15th June 1666. He died about 1716, leaving by his wife, Isobel, daughter of Sir Francis Liddell, a daughter, *Jean*, unmarried; and two sons,

Marchmont Case.

Ibid.

1. *George* Home of Wedderburn, who was put in possession of the family estate, 1695, engaged in the rebellion 1715, was taken at Preston, tried and condemned, but obtained a pardon, and died at Wedderburn in 1720. He married, contract dated 3d and 4th October 1695, Margaret, eldest daughter of Sir Patrick Home of Luinsden, baronet, by whom he had nine children; 1. David *Home of Wedderburn, who died*

Marchmont. in 1762, without issue. 2. George, who died in 1758, without issue. 3. Patrick Home of Wedderburn, who died in 1766, unmarried. 4. Francis, who died in 1782, unmarried. 5. John, a captain in the navy, who died unmarried in 1758. 6. James, a captain in the navy, a brave and accomplished officer, killed in action with the French, in April 1758, unmarried. 1. Margaret, married to Ninian Home of Billie, and was mother of the late Patrick Home of Wedderburn, M. P., and other children, all deceased. 2. Isobel, married to Alexander Home of Jardinefield, and was mother of Ninian Home of Paxton, governor of Grenada, murdered there by Fedon, in 1795; and of George Home of Branxton, now of Wedderburn and Paxton. 3. Jean, married to the Rev. John Tod, minister of Ladykirk, and had issue.

Marchmont Case. XI. Francis Home, the second son, was admitted a member of the Faculty of Advocates, in 1703, acquired the lands of Quixwood, 1708, and died in or before 1718, leaving, by his wife Elizabeth, second daughter of Sir Patrick Home of Lumsden, baronet, two sons,

1. *Alexander*, who died unmarried.
2. *John*.

Ibid. XII. John Home, the second son, became heir male and representative of the family on the demise of his cousin Patrick Home of Wedderburn, in 1766, and died, at an advanced age, in 1791. He married Margaret, daughter of Alexander Home of Coldinghamelaw, by whom he had four sons,

1. *Alexander*.
2. *David* Home of Homefield.
3. *George*, writer in Edinburgh.
4. *John*.

Ibid. XIII. Alexander Home, the eldest son, served long in the royal navy, in which he had the rank of lieutenant, and sailed with Captain Cook in his last voyage round the world. Upon the 2d August 1799, he was by a respectable inquest served heir male of Sir David Home, first baron of Wedderburn, *pater atavi tritavi*, and presented a petition to the King, claiming the titles, honours, and dignities of Earl of Marchmont, Viscount of Blazonberry, Lord Polwart of Polwart, Redbraes, and Greenlaw, which was, by his Majesty's command, referred to the House of Lords, 10th February 1804, and the claim is still in dependence before that august tribunal. Marchmont.

Marchmont Case. III. Sir Patrick Home of Polwart, second son of David Home younger of Wedderburn, is mentioned in the charter of Wedderburn, 16th May 1450. He had a charter from Archibald, Earl of Angus, to him and Margaret Sinclair, his wife, in conjunct fee, and the heirs male to be procreated betwixt them; which failing, to George Home of Wedderburn, his brother-german, and the heirs male of his body; which failing, to Alexander Home, grandson and heir apparent of Sir Alexander Home of Home, knight, &c. of half of the lands of Kimmerghame, 15th May 1470. A summons of treason was issued against him in 1478, for his adherence to Alexander, Duke of Albany, from whom he obtained a grant of the lands of Birghamshiels, 2d May 1483, confirmed by King James IV., 28th June 1488. He went a pilgrimage to Canterbury in 1493; had charters to him, and Elene Shaw, Lady of Dirletoun, his wife, 5th August 1497; and of the lands of Argatheis and Lundeis, 20th May 1498. He was appointed comptroller of Scotland in 1499, and knighted; and had charters to Patrick Home of Polwart, knight, computorum rotulatori regis, of the lands of Strathbraun, 1st May 1499, and of Castlelaw, to him and Elene Shaw, his wife, 20th August 1501. He held the office of comptroller till 1502, and died betwixt 3d May 1503 and 19th February 1505. Rec. Parl. 255, 265. Mag. Sig. L. xiii. No. 195, 196, 198, 361, 384, 458.

He married, first, Margaret, second of the two daughters and co-heirs of John Sinclair of Herdmanston, in the lands of Polwart (or Polwarth) and Kimmerghame, and by her he had a son,

Alexander Home of Polwart.

He married, secondly, Helen Shaw, daughter of John Shaw of Sauchie, widow of Archibald Halyburton, eldest son and heir apparent of George, fourth Lord Halyburton of Dirletoun. A letter was granted by King James IV. to Helen Shaw, wife of the deceased Archibald Halyburton, now of Patrick Home of Polwart, 28th April 1490; and an instrument of seisin

Marchmont. was passed by the attorney of Patrick Home of Polwarth, knight, and Elen Shaw, his wife, 17th May 1499. By her he had issue,

1. *George* Home of Argaty and Lundies, who had many charters under the great seal, and died in or before 1556, leaving two sons, Alexander; and Patrick, who died without issue, for, on 13th March 1629, Henry Home of Argaty was retoured his heir. Alexander Home of Argaty, eldest son of George, was succeeded by his son, Patrick, who was served heir of him 1621, and died before 13th March 1629, when his son Henry was retoured heir of him. Henry Home of Argaty had two sons, George, who died without issue, and Henry who was infeft upon a charter from the crown, 26th October 1682, as his brother's heir. He died in 1689, leaving a son, George Home of Argaty, who was retoured heir of his father, 17th September 1700, and died without issue; his sister Mary was retoured heir of him, Henry her father, and Henry her grandfather, 11th September 1751.

1. *Alison*, married to Sir James Shaw of Sauchie.

2. *Janet*, married to Sir Andrew Kerr of Fernihirst.

3. *Marion*, married to Sir William Baillie of Lamington.

4. *Margaret*, Abbess of North Berwick.

Mag. Sig. K. xiii. No. 563. IV. ALEXANDER HOME of Polwarth, the eldest son, had a charter to Alexander Home, son and heir apparent of Sir Patrick Home of Polwarth, and to Margaret Crichton, his wife, of the lands of Brigeameschellis, 3d May 1503, and another to Alexander Home, son, heir, and successor, of the deceased Sir Patrick Home of Polwarth, knight, 12th February 1505. He had another charter to him and Margaret Crichton of the lands of Brigeameschellis, 26th July 1511, and died in 1532. He married, first, Margaret, daughter of Robert, Lord Crichton of Sanquhar, by whom he had three sons,

Marchmont Case.

Mag. Sig. L. xvii. No. 55.

1. *Patrick* Home of Polwarth.

2. *Alexander* Home of Heuch, who had charters to Alexander Home, son of the deceased Alexander Home of Polwarth, of two mills in North Berwick, from Isobel Home, prioress of North Berwick, and Margaret Home, postulate or elect of the same, 12th August 1544; and to Alexander Home, brother of Patrick Home of Polwarth, of le Heuch, at North Berwick, from Margaret, Prioress of North Berwick, 24th June 1548.

L. xxx. No. 154, 403.

3. *Gavin*, who had a son, Andrew, to whom, on the 11th March 1561, a charter was granted of certain lands by Margaret Home, Prioress of North Berwick. But the male succession of the two brothers having failed, Sir Patrick Home of Polwarth was served heir of Alexander Home of Heuch, 31st July 1606.

Marchmont.

He married, secondly, Margaret, daughter of Sir Robert Lauder of Bass, by whom he had three daughters,

1. *Margaret*, married to Patrick Hepburn of Craig.

2. *Catherine*, married to Robert Pringle of Pringle. [qu.?]

3. *Isabel*, Abbess of North Berwick.

V. PATRICK HOME of Polwarth, the eldest son, had a charter of half of the lands of Kimmerghame, 20th October 1532, as heir of the late Alexander Home of Polwarth, his father. He married Elisabeth, daughter of Sir Patrick Hepburn of Waughton, by whom he had issue,

Mag. Sig. L. xxiv. No. 274.

1. *Patrick*.

2. Sir *Alexander* Home of North Berwick, who had a charter of several lands at North Berwick, to Alexander Home, son of Patrick Home of Polwarth, from Margaret Home, Prioress of North Berwick, 28th January 1569-70, and another charter of lands there, 16th November 1591; he was chosen provost of Edinburgh, 2d October 1593; was sent ambassador to England by King James VI., in which negotiation he behaved wisely and prudently, and died, without issue, before 23d June 1608.

L. xxxii. No. 117, 118.

3. *Adam*, the first protestant rector of Polwarth, a pious and devout man, who died in 1596. He had two sons, Alexander, who was retoured heir of Alexander Home of North Berwick, his uncle, 23d June 1608, and Patrick, both of whom died without male issue, as is proved by

Marchmont.

a decreet of adjudication, 16th February 1644, in which John Hepburn of Eastcrag, Alexander's sister's son, and Helen Home, Alexander's sister, are charged as apparent heirs portioners of Alexander Home.

1. *Margaret*, married to John Baillie of Johnskirk.

2. *Anne*, married to French of Thornydikes.

Mag. Sig. L. xxv. No. 355.

Original Penes D. Hamilton. D.

Crawford's Memoirs.

VI. PATRICK HOME of Polwarth, the eldest son, had a charter of half of the lands of Polwarth and Kimmerghame, on his father's resignation, 1st September 1536. He was a great promoter of the reformation, and one of those who entered into an association to protect the preachers of the gospel, 1560. He was on the King's side, and got a dangerous wound in a conflict with the party of Mary at Cairny, 2d June 1571*. He married Agnes, daughter of Alexander Home of Manderston, by whom he had issue,

1. Sir *Patrick*.

2. *Alexander* Home, minister of Logie, who died before 1633, without male issue.

3. *Gavin*, who died before 1620, without male issue.

4. Sir *John* Home of North Berwick, to which estate he succeeded in virtue of an entail executed by Alexander Home, his uncle, on the death of his two sons, on or before 6th September 1608, and he had a charter of these lands, 7th June 1609. He had two sons, Sir George and Patrick, the last of whom married Ideth Cranston, and died without male issue. Sir John Home, and his two sons, sold North Berwick, in 1633, to William Dick. Sir George, his eldest son, was created a baronet; and, in 1641, obtained from King Charles I., a grant of the manor of Tully, in the county of Fermanagh in Ireland, and he was served heir of Sir John, his father, 10th February 1642. He had two sons, Sir John, and George Home, a clergyman. Sir John, the eldest son, had only one son, Sir Gustavus Home, who died, in 1731, leaving by his wife, Lady Alice Moore, daughter of the Earl of Drogheda, two daughters, Mary, married to Nicholas Loftus, Earl of Ely, who assumed the name of Home, and Alice, married to George Rochfort, Esq. George Home, the clergyman, had a son, Charles, who appears to have died without issue.

Marchmont.

5. *David* Home of Rowanstoun, whose son Alexander was a consenter to the sale of North Berwick, 1633, as one of the heirs of entail. He left a son, Alexander, who died without issue before 16th April 1668, when Elisabeth, his only sister, was served heir of him.

6. *James*, died, without issue, before 7th June 1609.

1. *Jean*, married to David Home of Law.

2. *Agnes*, married to Edmonstone of Woolmet.

3. *Margaret*, married to Sir Thomas Cranston of Corsbie.

VII. Sir PATRICK HOME of Polwarth, the eldest son, had charters to Patrick Home apparent of Polwarth, of part of Whitsome, 29th July 1587, and to Patrick Home of Polwarth, of the barony of Reidbrayes, 18th March 1594; was served and retoured heir in special of Patrick, his father, 24th October 1599. He was in great favour with King James VI., who appointed him master of his household, 1591, one of the gentlemen of his bedchamber, and warden of the marches; and he died 10th June 1609. He married Janet, daughter of Sir Thomas Kerr of Fernihirst, sister of Andrew and James, Lord Jedburgh, and Robert, Earl of Somerset, and by her, who married, secondly, Thomas, first Earl of Haddington, had issue,

Mag. Sig. L. xxxvii. No. 249. L. xli. No. 21.

1. Sir *Patrick*.

2. *Thomas* Home of Coldstream, who died without issue.

3. *George* Home of Kimmerghame, who died in 1669, leaving a son, Robert, who was succeeded by his son George, who was succeeded by his son Robert. This

* Bannatyne's Journal mentions that, 2d July 1572, was Patrick Home, captain of the regent's horsemen, slain in rescuing a drove of cattle which Fernihirst had brought off a piece of land of his. Crawford's Peerage, 313, says, Patrick Home of Polwarth was killed in the conflict with the Queen's party at Cairny, 2d June 1571. In the first edition it is said he lived to a great age, and died 1592; and it is to be observed that his son, Patrick, was stiled apparent of Polwarth, 1587.

Marchmont. last Robert died without issue, in or before 1710; for, on the 25th of April that year, Patrick, first Earl of Marchmont, was retoured heir male of Robert Home of Kimmerghame, his cousin.

4. *Robert*, who died without issue.

1. *Elisabeth*, married to Sir John Carmichael of Carmichael.

2. *Jean*, married to Christopher Cockburn of Chausly.

3. *Sophia*, married to Joseph Johnston of Hilton.

VIII. Sir PATRICK HOME of Polwarth, the eldest son, was retoured heir in special of his father, 1st February 1611. He was much respected by King James VI., who settled a pension of L.100 sterling on him, and gave him several other marks of favour; he was created a baronet by King Charles I. in 1625, and died in April 1648. He married Christian, daughter of Sir Alexander Hamilton of Innerwick; and by her, who married, secondly, Robert, third Lord Jedburgh, had issue,

1. Sir *Patrick*.

2. *Alexander*, a gentleman of parts and learning, who, betaking himself to the profession of arms, attained the rank of colonel. He died without issue.

1. *Juliana*, married to Richard Newton of Newton.

2. *Anne*, married to Alexander, son of John Home of Manderston.

Crawf. Off. St. 240. Rose's Observations on Fox.

IX. Sir PATRICK HUME of Polwarth, the eldest son, born 13th January 1641, succeeded his father, 1648, and became one of the most conspicuous and vigorous characters of the age. He was chosen Member of Parliament for the county of Berwick, 1665, took a decided part against administration, and went up to London, in 1674, with the Duke of Hamilton and others, to lay the grievances the nation suffered from the Duke of Lauderdale before the King. The next year, 1675, the privy-council having garrisoned some houses, particularly one in Berwickshire, and having required the respective counties to furnish these garrisons with all things necessary, Sir Patrick Hume remonstrated against this procedure, as being contrary to law, and applied to the Court of Session for redress. This was so highly resented by the council, as an act of insolence, and contempt of their authority, that he was imprisoned in September 1675, of which imprisonment the King approved, "Polwarth being a factious person, "and having done what may usher in confu- "sion," requiring the council, therefore, to declare him incapable of all public trust, and to send him prisoner to Stirling Castle till further orders. He was first confined in the tolbooth of Edinburgh, from whence he was removed to the castle of Dunbarton, afterwards to Stirling Castle, from whence he was liberated in July 1679, on a letter from the King, reciting, that he had been imprisoned for reasons known to his Majesty, and tending to secure the public peace; and now the occasion of suspicion and public jealousy being over, he is ordered to be liberated. This order was obtained by the interposition of some of his relations at court. Marchmont.

The execution of Russel and Sidney, in 1684, having given fresh courage to the Duke of York and his supporters, to prosecute those who had distinguished themselves in defence of the liberties of their fellow-subjects, Sir Patrick Hume, convinced that he should be one of the first objects of persecution, withdrew from his house as soon as he heard of the imprisonment of his dearest friend, Baillie of Jerviswood, (who was executed,) till he should have an opportunity of leaving the kingdom. He chose for the place of his retreat the family burial-place, under the church of Polwarth, where he remained several weeks, supplied every night with food by his affectionate daughter, Grizel, when all were at rest. He then removed to a concealed place, made under ground, in his house, by his wife scratching up the earth with her hands; but water having flowed in after he had been there a few days, he was obliged to leave the house; and he had not been gone a few hours when a party came there in search of him. The servant that attended him fell in with them, but they missed Sir Patrick, who had accidentally separated from his man; and, after that miraculous escape, he got safe through by-ways to London, from whence he went abroad and took refuge in

Marchmont. Holland, where he was received with open arms by the Prince of Orange, who considered him a sufferer for the protestant interest, and for the liberties of his country.

He accompanied the Earl of Argyll in his unfortunate expedition to Scotland, 1685. His estate was confiscated, a decree of forfeiture was passed against him, 22d May 1685, and a high reward was offered for his apprehension. On the final ruin of the expedition, in July 1685, Sir Patrick Hume was concealed in the house of his friend, Mr Montgomery of Lainshaw, from whence he found means to escape to Bourdeaux, and then went to Holland, where he was joined by his wife and family, and settled at Utrecht. There he remained three years and a half, employed in the education of his children which he conducted himself, not being able to afford the expence of a preceptor.

Sir Patrick Hume accompanied the Prince of Orange to Britain, 1688, and took his seat in the convention as member for the county of Berwick. His forfeiture was rescinded by parliament; he was sworn a privy-councillor, nominated a commissioner for the then projected union, and created a peer of Scotland, by the title of Lord Polwarth, to him and the heirs male of his body, by patent, dated at Kensington, 26th December 1690, when the King assigned to him an orange, proper, ensigned with an imperial crown, to be placed in a surtout in his coat of arms. He was appointed sheriff of Berwickshire, 2d October 1692; one of the extraordinary lords of session, 28th November 1693; and constituted high chancellor of Scotland, 2d May 1696. He was created Earl of Marchmont, Viscount of Blasonberrie, Lord Polwarth of Polwarth, Redbraes, and Greinlaw, by patent, dated at Kensington, 23d April 1697, to him and his heirs male whatsoever; and, the same year, he was appointed one of the commissioners of the treasury and admiralty.

He filled the office of commissioner from the King, to the session of parliament, that sat down at Edinburgh, 19th July 1698, which his Majesty intended to have opened in person. His Lordship obtained a very ample approbation of his services under the great seal, 19th April 1700, and represented the King, as high commissioner to the general assembly, 1702. On the accession of Queen Anne, he was continued in the office of chancellor; but having, in the parliament, in June 1702, brought in a bill for securing the succession in the Protestant line, which was defeated by a prorogation, the great seal was taken from him. The loss of his high office did not, however, prevent him from being a zealous and active supporter of the treaty of union; in his correspondence with the Duke of Devonshire and Lord Somers, he pressed on them a decided opinion, that the Protestant succession could not otherwise be effectually secured; and he contributed greatly to the bringing about that important measure. Marchmont.

A contemporary said of his Lordship, Macky's Memoirs.
He hath been a fine gentleman; of clear parts, but always a lover of *set long* speeches, zealous for the presbyterian government and its divine right. Business and years have now almost wore him out. He hath been handsome and lovely, and was so since King William's accession to the throne; towards 70 years old.

On the accession of King George I. he was constituted sheriff of Berwickshire, of which he had been deprived by Queen Anne, and one of the lords of police. His Lordship retained his judgment and good humour till his death, which happened at Berwick on the 1st of August 1724, in the 84th year of his age; and he was buried in the Canongate churchyard. He went off without a groan, and seemed to rejoice in the expectation of his end. Not many hours before his death, his grandson, Lord Binning, observing him to smile, inquired the cause, and was answered, "I am di-"verted to think what a disappointment "the worms will meet with, when they "come to me expecting a good meal, and "find nothing but bones." He was much extenuate, and had always been a thin clever man. His courage, his fortitude, and patience, under sufferings, underwent the severest discipline; for moral conduct, in all relations of life, the strictest attention to the duties of religion, as well as for the sweetness of his disposition, he was most exemplary; and his patriotism had been proved under repeated and hard trials. His

Marchmont. Lordship wrote an Essay on Surnames, in Collier's Dictionary.

His Lordship married, Grizel, daughter of Sir Thomas Ker of Cavers. Her husband drew this character of her in her Bible: "She had been happy in a religious and virtuous education, by the care "of religious and excellent parents. She "was of a middle stature, of a plump full "body, a clear ruddy complexion, a grave "majestic countenance, a composed, steady, and mild spirit; of a most firm and "equal mind, never elevated by prosperity, nor debased or daunted by adversity. "She was a wonderful stay and support to "me in our exile and trouble, and a humble and thankful partaker with me in "our more prosperous condition; in both "which, by the blessing of God, she helped much to keep the balance of our deportment even. She was constant and "diligent in the *practice of religion* and "virtue, a careful observer of worship to "God, and of her duties to her husband, "her children, her friends, and servants; "so that it may justly be said, her piety, "probity, virtue, and prudence, were without a blot or stain, and beyond reproach; "as, by the blessing of God, she lived "well, so, by his mercy, in the time of "her sickness, and at her death, there appeared many convincing evidences, that "the Lord *took her* to the enjoyment of "endless happiness and bliss." She died at Edinburgh, 11th October 1703, and was buried in the Canongate churchyard. Their issue were,

1. *Patrick*, Lord Polwarth, who was an officer in the service of the Prince of Orange, in Holland, came over *with the* Prince to England, 1688; had a letter from King William, appointing him to sit and vote as lord high-treasurer of Scotland, in the parliament which met, 19th July 1698; and he accordingly took the oaths and his seat. He had the command of the 7th regiment of dragoons conferred on him, 1707; and died in 1710. He married, first, 2d December 1697, Elisabeth, daughter of Sir *James Hume of Hume Castle, in Ireland*; secondly, Lady Jean Home, eldest daughter of Charles, sixth Earl of Home; but had no issue by either.

2. Hon. Captain *Robert* Home, who died without issue, as, on 27th October 1692, Patrick, Master of Polwarth, was served hæres conquestus Capitani Roberti Home, fratris immediate junioris. Marchmont. Inq. Ret. xliii. 140.

3. *Alexander*, second Earl of Marchmont.

4. Hon. Sir *Andrew* Home of Kimmerghame, in the county of Berwick, who was appointed a lord of session, on the resignation of his brother, 25th November 1714; and died in 1730. He married Elisabeth, daughter of John Douglas, Esq. by whom he had a son, John, an officer in the army, murdered at Rosecrea, in Ireland, 28th September 1738, without issue, by his wife, a daughter of Drummond of Blair, and two daughters: 1. Elisabeth, married to Charles St Clair of Herdmanstoun, and died 12th March 1784, leaving a son, father of Lord Sinclair; and, 2. Helen, married, in June 1735, to Andrew Wauchope of Niddery, chief of one of the oldest families in the shire of Edinburgh, and had three sons, Andrew Wauchope of Niddery; William, deceased; and John Wauchope, Esq. W. S. Edinburgh.

1. Lady *Grizel*, born at Redbraes Castle, on the 25th of December 1665; married, 17th September 1692, to George Baillie of Jerviswood, M. P. one of the lords of treasury, who died at Oxford, 6th August 1738, æta. 75; she died 6th December 1746, in the 81st year of her age, and was buried at Mellerstain. They had a son, Robert, born 23d January 1694, who died young; and two daughters, Grizel, married, 26th August 1710, to Sir Alexander Murray of Stanhope, baronet, M. P. and died without issue, 6th June 1759, æta. 67; and Rachel, born 23d February 1696, married to Charles, Lord Binning, and was mother of Thomas, seventh Earl of Haddington, George Baillie of Jerviswood, and other children, as particularly mentioned under the title Earl of Haddington. It is impossible to contemplate, without admiration, the conduct and character of that able, prudent, warm-hearted, and affectionate woman, Lady Grizel Baillie, as portrayed in Rose's Observations on Fox, to which reference is made, where also will be found an exalted character of her husband, by Dr Cheyne.

2. *Christian*, died in 1688, aged about 21, in Holland.

Marchmont. 3. Lady *Anne*, married to Sir John Hall of Dunglass, in the county of Berwick, baronet, and had issue; and died in January 1699.

4. Lady *Juliana*, married to Charles Billingham, Esq. warden of the mint, and had at least one daughter, *Jean*, born 5th July 1703. Edin. Reg.

5. Lady *Jean*, born 26th March 1683, married to James, seventh Lord Torphichen, and had a numerous issue.

X. ALEXANDER, second Earl of MARCHMONT, the eldest surviving son, became a member of the Faculty of Advocates, 1696; was knighted; had the stile of Sir Alexander Campbell of Cessnock; was chosen Member of Parliament for the county of Berwick, and appointed a lord of session, 7th November 1704, also a commissioner of exchequer; and was sworn a privy-councillor. He supported the union in parliament; and resigned his seat on the bench, 1714, in favour of his brother. At the breaking out of the rebellion, 1715, he raised 400 of the Berwickshire militia, and marched with three battalions to join the Duke of Argyll at Stirling. He was appointed envoy-extraordinary to the courts of Denmark and Prussia, 1715, and constituted lord clerk-register, in December 1716. Being appointed first ambassador to the congress at Cambray, he, in March 1721, made his public entry into that city, with the splendour and magnificence becoming the British nation.

He succeeded his father, 1724; was invested with the order of the Thistle, 1725; sworn a privy-councillor, 1726; and chosen one of the sixteen representatives of the Scotish peerage, 1727. Joining the opposition against Sir Robert Walpole, 1733, he was dismissed from his office of lord-register, in May that year; and, dying at London, on the 27th of February 1740, in the 65th year of his age, was buried, 17th March, in the Canongate churchyard, Edinburgh *.

Ibid. His Lordship married, 29th July 1697, Margaret, daughter and heiress of Sir George Campbell of Cessnock, in Ayrshire, and had issue by her,

* In the Scots Magazine, March 1740, is a high character of his Lordship.

Marchmont. *1. George*, Lord Polwarth, born 17th January 1704, who died at Montpelier, 13th October 1724, in the 21st year of his age, unmarried. Edin. Reg.

2. Hon. *Patrick* Hume, died 1724.

3. *Hugh*, third Earl of Marchmont.

4. Hon. *Alexander* Hume Campbell, a twin with Hugh, born 15th February 1708; who was chosen Member of Parliament for the county of Berwick, at the general election 1734, and constantly rechosen *till his* death, taking an active part in parliamentary business and debates. He was an eminent counsellor in London; appointed, in 1741, solicitor to the Prince of Wales; and, 27th January 1756, lord-clerk-register of Scotland. He died at London, 19th July 1760, in his 53d year. He married, 16th July 1737, Miss Elisabeth Pettis; but by her, who died at London, 6th September 1770, had no issue.

Ibid. Dougl. Bar. 567. 1. Lady *Anne*, born 3d August 1698, married to Sir William Purves of Purveshall, in the county of Berwick, baronet, who died 18th June 1762; her only surviving son, Sir Alexander Purves of Purves, baronet, was major to the 18th regiment of foot, when he quitted the army, 1781. He married, first, 23d August 1766, Miss Catherine le Blanc, who died 12th February 1772, leaving a son and three daughters; secondly, 21st June 1775, Mary, daughter of Sir James Home of Manderston, who died 4th July 1785, leaving five sons and four daughters; thirdly, 9th November 1785, Magdalen, daughter of James Edmonston of Longfaugh, who died 22d August 1788, leaving two sons and one daughter; fourthly, 19th January 1789, Isabella, daughter of James Hunter of Frankfield, by whom he has one son.

Edin. Reg. 2. Lady *Grizel*, born 9th March 1701, who died unmarried.

3. Lady *Jean*, born 1st July 1709; married, in January 1743, to James Nimmo, Esq. receiver-general of excise; and died at Edinburgh, 10th October 1770, æta. 62, without issue.

4. Lady *Margaret*, who died unmarried.

XI. HUGH, fourth Earl of MARCHMONT, born at Edinburgh, 15th February 1708; soon became eminent for learning and brilliancy of genius. He was chosen member

Marchmont. for Berwick, at the general election, 1734, the same year in which the first Lord Chatham and the first Lord Lyttleton entered on their parliamentary lives; and with them distinguished himself remarkably in the House of Commons, in the ranks of opposition; so that Sir Robert Walpole declared there were few things he more ardently wished for than to see that young man at the head of his family. That wish was soon gratified; for his father dying, he succeeded as Earl of Marchmont, and a new writ for Berwick was issued in March 1740. The estimation in which his Lordship was held by his contemporaries at that time, may be judged of by his close and intimate friendship with Lord Cobham, (who gave his bust a place in the Temple of Worthies at Stow,) and Sir William Wyndham, and by the mention of him in Pope's well-known inscription in his grotto at Twickenham,

> There the bright flame was shot through Marchmont's soul!

He was one of the executors of Pope, also of Sarah, Duchess of Marlborough, both of whom died, 1744; and had a legacy from the latter of L.2500 as such.

A vacancy occurring in the representation of the Scotish peerage, 1750, the Earl of Marchmont was elected, and was constantly rechosen at every general election till 1784; a period of 34 years, during which he punctually attended the House of Lords, taking an active part in business, being exceeded by none in parliamentary information and experience. He was appointed first lord of police, 1747, and keeper of the great seal of Scotland, 28th January 1764, which he held till his death, at Hemel Hempstead, in Hertfordshire, on the 10th January 1794, in the 86th year of his age. In learning of all sorts, and in extensive reading, he was surpassed by few. His library contained one of the most curious and valuable collection of books and manuscripts in Britain; and he left it to his sole executor, the Right Hon. George Rose.

His Lordship married, first, in May 1731, Miss Anne Western of London; and by her, who died at Redbraes, 9th May 1747, had one son,

Patrick, Lord Polwarth, who died young;—and three daughters, Marchmont.

1. Lady *Anne*, married, at Redbraes, 2d October 1755, to Sir John Paterson of Eccles, in the county of Berwick, baronet. He died at Bath, 14th January 1782. She died at Newcastle, 27th July 1790, æta. 56. They had one daughter, married, at Eccles, 17th February 1778, to Sir Philip Anstruther of Anstruther, baronet, without issue.

2. Lady *Margaret*, married, 20th September 1763, to Major-General James Stuart, third son of Archibald Stuart of Torrance, and died without issue, at Edinburgh, 7th January 1765.

3. Lady *Diana*, married, at Redbraes, 18th April 1754, to Walter Scott of Harden, in the county of Berwick, M. P., who died at Tunbridge, 25th January 1793, and has one son, Hugh Scott of Harden, married to Henrietta, daughter of John Charles Count Von Bruhl, privy-councillor to the Elector of Saxony, envoy from that prince to Britain, knight of the white eagle, by his wife, Alicia Maria, Countess-Dowager of Egremont, and has issue.

The Earl of Marchmont married, secondly, at London, 30th January 1748, Miss Elisabeth Crompton of Hatton-Garden, daughter of a linen-draper, in Cheapside; and by her, who died at Hemel Hempstead, 12th February 1797, had one son,

Alexander, Lord Polwarth, who was born in 1750, and created a peer of Great Britain, by the title of Baron Hume of Berwick, 14th May 1776; but dying without issue, at Wrest, 9th March 1781, in the 31st year of his age, the title became extinct. He married, 16th July 1772, Lady Annabella Yorke, born 22d February 1751, eldest daughter of Philip, second Earl of Hardwicke, by Jamima, Marchioness Grey and Baroness Lucas of Crudwell, granddaughter of Henry, Duke of Kent. On the death of her mother, the Marchioness, in 1797, she succeeded as Baroness Lucas of Crudwell, and is in possession of Wrest, in Bedfordshire, the seat of her great-grandfather, the Duke of Kent.

The Earl of Marchmont, 5th November 1790, executed a settlement of his estates, in which he calls to the succession, failing heirs male of his own body, 1st, The heirs

Marchmont. male or female of the body of Lady Diana, his daughter, except those procreated between her and her then husband; which failing, any other daughters of his own body, and the heirs male of their bodies; 2d, The heirs male of the body of Sir Alexander Purves, baronet, the son of his sister, Lady Anne. 3. Charles, Lord Sinclair, and Matthew St Clair, his brother, grandsons of Elisabeth Home, daughter of Lord Kimmerghame, and the heirs male of their bodies. 4. Andrew, William, and John Wauchopes, children of Helen Home, also daughter of Lord Kimmerghame, and the heirs male of their bodies. 5. Thomas, seventh Earl of Haddington and his brothers, the grand-children of Lady Grizel Home, daughter of Patrick, first Earl of Marchmont, and the heirs male of their bodies; which failing, a series of heirs, in like manner, descended from other daughters of Patrick, first Earl of Marchmont. The honours being to the heirs-male general, are claimed by Lieutenant Alexander Home, R. N. as already mentioned.

CREATIONS.—Lord Polwarth, 26th December 1690, to the first Lord, et hæredes masculos de corpore suo, et hæredes dictorum suorum hæredum. Earl of Marchmont, Viscount of Blasonberrie, Lord Polwarth of Polwarth, Reidbraes, and Greinlaw, 23d April 1697, to the first Earl, ejusque hæredibus masculis quibuscunque omni tempore futuro. Marchmont.

ARMS.—Quarterly: First grand quarter counterquartered; 1st and 4th, Vert, a lion rampant, argent, armed and langued, gules, for Home; 2d and 3d, Argent, three papingoes, vert, beaked and membered, gules, for Pepdie. Second, Argent, three piles, engrailed, gules, issuing from the chief, for Polwarth of Polwarth. Third, Argent, a cross engrailed, azure, for St Clair of Herdmanstoun. Fourth, As the first. Over all, in the centre, an escutcheon, argent, charged with an orange, proper, stalked and slipped, vert, ensigned with an imperial crown, proper, as a coat of augmentation.

CREST.—A man's heart, out of which issues a dexter arm, erect, grasping a scimeter, all proper.

SUPPORTERS.—Two lions regaurdant, argent, armed and langued, gules.

MOTTO.—*True to the end.*

KEITH, EARL MARISCHAL.

Marischal. THIS antient and distinguished race, according to the most authentic historians, is derived from Robert, leader of a tribe of the Catti, which emigrated from Germany into Scotland. In the reign of Malcolm II., a signal victory was obtained over the Danes, under the command of Camus, at Bary, in Forfarshire, in 1010. Camus was killed in the engagement, by Robert, the leader of the Catti; the King, dipping his fingers in the blood of the fallen general, drew three perpendicular strokes on the upper part of Robert's shield, from whence his descendants bear three pallets, gules, on a chief. Malcolm, in regard of his eminent services, created him heritable great marischal of Scotland, and bestowed on him several lands, particularly some in East Lothian, still called Keith, the antient name Catti, being, in progress of time, transposed to Kethi and Keycht; and still more lately, for softness of pronunciation, Keith. Without attempting to fill up the succession of Marischals of Scotland from Robert to Herveus, a period before sirnames existed, we shall commence with Marischal.

Nisb. Her. App. II. 1.

I. HERVEUS, the son of Warin, who, in the reign of David I., possessed half of the district of Keith, which half, from him, was called Keith Hervei, and was af- Caledonia, I. 518. II. 532.

Marischal.

terwards called Keith Marischal. Symon Fraser possessed the other half, denominated, from him, Keith Symon, afterwards Keith Hundeby. As the church of Keith stood within the district of Keith Symon, Herveus erected a chapel in his own manor of Keith Hervei, for the accommodation of his tenants, and, according to established custom, settled a yearly tribute to the mother-church. Herveus, the son of Warin, witnessed charters of David I., particularly his grant of Annandale to Robert de Brus; and he did not, perhaps, survive David. He was succeeded by his son,

Caledonia, I. 518. II. 532.

II. HERVEUS DE KETH, who held the office of King's Marischal under Malcolm IV. and William I. Simon Fraser having granted to the monks of Kelso, the church of Keith, Herveus de Keth, Marescallus Regis Scotiæ, had a controversy with them about the tribute which he ought to pay for his chapel of Keith Hervei. This pertinacious contest was settled by Joceline, Bishop of Glasgow, and Osbert, Abbot of Paisley, who decided that the monks ought to receive 20s. annually from the chapel and manor of Keith Hervei; and this determination was confirmed by the diocesan, Richard, Bishop of St Andrews, who died 1177. Herveus de Keth witnessed several charters of William the Lion, from 1189 to 1196; and died before the latter year. He was father of

Chartul. Arbroath, penes Macf. 105. D. Chartul. Kelso, 127, 128, 138, 228. D.

III. MALCOLM DE KETH, who, in a donation to the monastery of Arbroath, is designed son of Herveus de Keth, great marischal of Scotland, 1178. He witnessed a donation to the monastery of Kelso, 1185; and is not known to have survived his father, as he was never designed great Marischal of Scotland. He had two sons,

1. *Philip.*

2. *David* de Keth, who was associated with his brother Philip, and his nephew Hervei, in the office of Marischal of Scotland. He appears as an associate with Philip in this office, as early as 1201; officiated as joint Marischal with Hervei, at the marriage of Alexander II., 1220, and was present when peace was concluded at York, 1237. His posterity assumed the name of Marshall from the office he held.

Caledonia, I. 520.

IV. PHILIP DE KETH, great Marischal of Scotland, eldest son of Malcolm, succeeded his grandfather, and is designed great Marischal of our sovereign lord the King, in a donation to the monastery of Arbroath, about 1195; also, in a charter to the monastery of Dunfermline, before 1201; and in several authentic writs, previous to 1214. He died before 1220, having married Eda, daughter and heiress of Hugh Lorens, by Eda, daughter and heiress of Symon Fraser of Keith Symon, or Keith Hundeby, with whom he then got the other half of the district of Keith, and by her had a son and successor,

Marischal. Chartul. Arbroath. 153. Dunferm. 194 Original Book of Writs. Chartul. of Cambuskenneth and Kelso. D.

V. HERVEUS DE KETH, who, with his uncle David, acted together as Marischals of Scotland, at the marriage of Alexander II. and Joan of England, at York, 15th June 1220. He is designed Great Marischal of Scotland, son of Philip, Great Marischal, in a donation to the monastery of Coldingham, 1222; and in a donation to the monastery of Arbroath, 1226. He confirmed the grants of the church of Keith, with the commonty of the lands thereof, made by Symon Fraser to the monastery of Kelso, about 1236; ratified by a charter of King Alexander II. 1238. He died soon after 1242, certainly before 1250, leaving a son,

Caledonia, I. 519. Chartul. of Coldingham, 29. D. Original Writs, 59. D. Chartul. of Kelso, 67, 71. D.

VI. Sir JOHN DE KETH, who is designed great Marischal of Scotland, when he confirmed all the donations of his predecessors, particularly those ceded to the monastery of Kelso by the determination of the late controversy, as contained in the charter of Herveus, Great Marischal of Scotland, his father, and in the charter of Alexander II. 1238. He likewise added some lands in his property of Keith, all contained in one charter, without date, but granted about 1250. He confirmed to the hospital of Soltray, some lands in the district of Joneston, near Keith, granted to them by his great-great-grandfather Symon Fraser, and some tofts near the lands of Soltray. He died before 1270. He married a daughter of the Earl of Buchan, and had issue,

Ibid. 69.

Caledonia, I. 519.

1. Sir *William* or *Robert.*

2. *Adam* de Keth, rector of Keith Maris-

Marischal.

chal 1292. Sir John had, probably, a third son, ancestor of the Keiths of Galstoun, in Ayrshire, and father of the gallant Sir William Keith of Galstoun, who repulsed the English with extraordinary valour at Berwick, 1318; and accompanied Sir James de Douglas on his expedition to Palestine with the heart of King Robert I., 1330. He commanded in Berwick, 1333; was ambassador to England, 1335, when he obtained a safe-conduct for himself and sixty horsemen in his retinue, and was killed at the siege of Stirling, with his own lance, 1336. He left a daughter, Johanna Keith, heiress of Galstoun, married, first, to a gentleman of the name of Hamilton; secondly, to Sir Alexander Stewart of Derneley, and had issue by both *.

A. Stuart, 87.

Rymer, IV. 566, 591, 639, 677. D.

Chartul. of Lennox, 54. D.

VII. Sir WILLIAM de KETH, the eldest son, witnessed a charter of Malcolm, Earl of Lennox, 1270; but it is to be observed that he is simply designed Sir William de Keth, and not Marischal of Scotland; and there is reason to believe, that the son and successor of Sir John de Keth was of the name of Robert. He died before 1290, having married Barbara, daughter of Serlo or Secher de Seton, by whom he had issue,

Crawf. Peer. 319.

1. Sir *Robert*.

2. Sir *Richard*, who died without issue.

3. Sir *Edward*.

4. *Philip de Keth*, rector of Biggar.

Daughter, married to William the Hardy, Lord of Douglas.

Caledonia, I. 520.

VIII. Sir ROBERT de KEITH, great Marischal of Scotland, the eldest son, had a charter from John Baliol, in 1294, of the lands of Keith, Robertо Keth, marescallo nostro. He confirmed to the monastery of Soltray the tenement of Johnston, about 1296, by a charter witnessed by Sir Richard de Keth, Sir Philip de Keth, rector of Biggar, his brothers, Sir Adam de Keth, rector of Keth Marischal, his uncle, and John de Keth, his son and heir; and he granted to the monks of Kelso a right to build a mill on his lands of Keth Hundeby. He was a prisoner in Cumberland, 1300. He was one of the commissioners chosen by the Scotish people for the settlement of their government, 1305, and a justiciary from the Forth to the Mount. He was one of the guardians of Scotland 26th October 1305; joined the standard of King Robert Bruce, and was instrumental in gaining the battle of Inverurie, 1308, for which he got a grant of several lands, and particularly a royal seat in Aberdeenshire, called Hall Forest. He is designed great Marischal of Scotland and Justiciary beyond the river Forth, 1309; had, from his office of marischal, the command of the horse at the battle of Bannockburn, 1314, and contributed not a little to the success of the Scots, by making a circuit to the right, and attacking the English rchers in flank; they were instantly overthrown, and falling back, spread disorder in their army. He was one of the magnates Scotiæ who signed the letter to the Pope, asserting the independency of Scotland, 1320; was one of the commissioners to treat with the English, and a guarantee of the truce concluded with them, 1323. He was nominated one of the commissioners to ratify an alliance with Charles le Bel, King of France, at Corbeuil, April 1326, but does not seem to have gone to France. Robert de Keth, great marischal of Scotland, witnessed charters of King Robert I., 1328 and 1329. He had from that monarch "licence to byde fra the sheriff-court," and charters of Auchmeden and Auchtidonald, and the forest of Kintore, except the park. Robert de Keth, knight, resigned into the King's hands, the Wednesday next after the feast of All Saints, in the 19th year of his reign, (2d November 1324,) all the lands, &c. which he held of his Majesty in capite, and got a charter of the lands of Keith Marischal, the office of marischal of Scotland, Keith Symon, Colbanestoun, Alden in Buchan, with the New Forest, Inverpeffir, four davachs of land in Strathbogie, and the forest of Kintore, to

Marischal.

Cart. in Pub. Arch. & Penes Com. Marischal. D.

Chartul. of Lindores. D.

Dalr. Ann. II. 54.

Fordun, II. 275.

Rymer, III. 1025. D.

Robertson's Index, 100, 2.

Haddington's Collections.

* The Keiths were now very numerous; many of that surname are mentioned in authentic documents. Sir Robert Keth, 1240, in the Chartulary of Drybrugh; Robertus de Keth, in the reign of Alexander III.; Bernard de Keth, 1274, in the Chartulary o Newbottle; Philip de Keth, and Mary, his wife, 1296, in Rymer's Fœdera. Alexander de Keth, the same year, in Prynne; Sir Edward Keith of Synton; Sir Walter Keith; and many others. D.

Marischal.

be held by the said Robert de Keith, knight, and Robert de Keith, son of the deceased John de Keith, knight, son of the said Robert de Keith, knight, and the heirs male to be procreated of the body of the said Robert; which failing, to the heirs male of the body of the said Robert de Keith, knight; which failing, to Edward de Keith, knight, brother of the said Robert de Keith, knight, and the heirs male of his body; which failing, to the nearest heirs male of Robert de Keith, bearing the name and principal arms of Keith. This charter, dated at Berwick-upon-Tweed, 7th November 1324, was ratified by parliament. Sir Robert de Keith fell at the fatal battle of Duplin, 12th August 1332, cum plerisque ex familia nobilibus, according to Boece. He married Barbara Douglas, and had a son,

IX. Sir JOHN de KEITH, who, as appears from the charter just quoted, died before his father, leaving a son, *Robert*; and a daughter, married to Sir Robert Maitland; this is documented by a charter of Robert de Keith, marischal of Scotland, of the lands of Cowanstone, to John Maitland, his sister's son, among the missing charters of King David II., in Robertson's Index.

Robertson's Index, 58.

X. ROBERT KEITH, great marischal of Scotland, succeeded his grandfather, 1332, and held the office of sheriff of Aberdeen. He fell at the battle of Durham, 17th October 1340*, without issue, by his wife, Margaret, daughter of Gilbert de Haya of Errol, constable of Scotland. His grand-uncle,

Dalr. Ann. III. 108.

VIII. Sir EDWARD KEITH, great marischal of Scotland, succeeded, in terms of the charter and entail, 1324, as is proved by a missing charter of King David II., in Robertson's Index, to Edward Keith, of some lands given him by Edward Keith, marischal. He is designed son of Robert de Keith, great marischal of Scotland, in an inquisition, 1341; and he died before 1350. He married, first, Isabel de Keth,

Rob. Ind. 61.

Chartul. of Aberdeen, 158. D.

* Edward de Keth, and Edmund de Keth, two brothers, fell also in the same battle. Dalr. Ann. III. 108.

said to be of the family of Galstoun, by whom he had issue,

Marischal.

1. Sir *William.*

2. *John*, designed son of Sir Edward, and brother of Sir William, great marischal of Scotland, in the chartulary of Arbroath, 1354. He married Mariota, daughter of Sir Reginald Cheyne of Innerugie, widow of John Douglas of Strabrock, with whom he got the baronies of Innerugie and Strabrock, and was ancestor of Sir Robert Keith of Ludquhairn, colonel of a regiment of foot in the Danish service. The descent of the Keiths of Innerugie and Ludquhairn is contained in Douglas's Baronage, where it is shown that the principal branch terminated in two daughters, co-heiresses of Innerugie, Margaret, married to William, fourth Earl Marischal, and Elisabeth, married to William, seventh Lord Forbes.

Carta in Pub. Arch. Chartul. of Arbroath. Chartul. of Aberdeen, 272. D.

1. *Catharine*, married to Alexander Barclay, ancestor of Ury.

Carta Penes Ury, ad An. 1351.

2. *Janet*, married to Sir David Hamilton of Cadyow.

A. Stuart, 72.

Sir Edward Keith married, secondly, Christian, only child of Sir John Menteth, Lord of Arran, by his wife, Lady Elyne, daughter of Gratney, Earl of Marr; she took to her second husband, Sir Robert Erskine of Erskine. By Sir Edward Keith she had an only child,

Janet, married to Sir Thomas Erskine of Erskine; her posterity, in her right, succeeded to the earldom of Marr.

IX. Sir WILLIAM KEITH, great marischal of Scotland, the eldest son, is designed son of Sir Edward Keith, 1354. He was one of the commissioners to treat for the redemption of David II., 1357; was sent to England, 1358, on the King's affairs, and had a safe-conduct for himself and sixty horsemen in his retinue; again in 1369, when he was one of the commissioners for a truce, and one of the guarantees thereof. He was present at the coronation of King Robert II., at Scone, in March 1371. He and Margaret Fraser, his wife, made an excambion of the lands of Uchteruthersruther, Wester Markinch, and Pittendrith, in the counties of Fife and Stirling, with William de Lindsay, Lord of Byres, for part of the lands of Dunot-

Chartul. Arbroath, II. 87. D.

Rymer, VI. 43, 82, 633. D.

Robertson's Index, App.

Ib. 144.

Mag. Sig. L. iii. No. 176.

Marischal.

tar, in the shire of Kincardine. He there built a castle on a high peninsulated rock, for a safe retreat in times of danger; but having, as was alleged, encroached on consecrated ground in so doing, sentence of excommunication was passed on him by the Bishop of St Andrews, although the building was sixty yards from the church, which was untouched, and used for a place of worship. Against this sentence the Marischal appealed to the Pope, who, by his bull, dated 13th July 1394, removed the excommunication on certain conditions. Dunottar, from henceforward, became the principal seat of the family; and the Marischal died between 1406 and 1408.

Penes Keith de Dunnottar et Ravelstoun.

He married Margaret, only child and heiress of Sir John Fraser, eldest son of Sir Alexander Fraser, high chamberlain of Scotland, and Mary, sister of King Robert Bruce. With her he got large estates, particularly the forest of Cowie, thanedom of Durris, the baronies of Strachan, Culperso, Johnston, and other lands, in the county of Kincardine, and they had issue,

1. *John* de Keth, who, on the resignation of William de Keith, knight, marischal of Scotland, and Margaret Fraser, his wife, his father and mother, and, having married a daughter of King Robert II., had a charter from King Robert II., dated 17th January 1373-4, *dilecto filio nostro*, Johanni de Keth, of all the lands, possessions, and offices belonging to the said William and Margaret, to be held by the said John and his heirs, of the King and his heirs, reserving the liferent to the said William and Margaret. He died not long afterwards, leaving, by his wife, who was, as appears from the above charter, a daughter of King Robert II., a son, Robert de Keith, designed son of the deceased John de Keth, son and heir of William de Keth, marischal of Scotland, and Margaret Fraser, his wife *. Robert de Keith died before his grandfather, leaving a daughter, Jean, married to Alexander, first Earl of Huntly, without issue.

Reg. Mag. Sig. 104.

2. Sir *Robert*.

3. *Alexander*, who had a charter to Alexander Keith, of the lands of Grandowne, Auchmolyn, Prosly, Crabiston, and Balmady, from King Robert III. He also had a charter to Alexander Keith of Grandoun, of the lands of Glendowachy, in Banffshire, from Isabel, Countess of Marr and Garioch. He is designed son of Sir William, the great marischal, and brother of the Duke of Albany, in the chartulary of Aberdeen, 1403; had the command of the horse at the battle of Harlaw, against Donald, Lord of the Isles, 1411; and, under the designation of Alexander de Keth, knight, witnessed a charter of his brother, the marischal, 2d June 1413.

Reg. Mag. Sig. 193.

Robertson's Index, 141.

Chart. Aberd. 288. D.

Reg. Mag. Sig. 251.

1. *Muriella*, the second wife of Robert, Duke of Albany, regent of Scotland, by whom she was mother of John, Earl of Buchan, Constable of France, and two other sons.

2. *Janet*, married to Philip Arbuthnott of Arbuthnott.

3. *Christian*, married to Sir James Lindsay of Crawford.

4. *Elisabeth*, married to Sir Adam Gordon of Huntly.

X. Sir ROBERT KEITH, the second son, had two charters from King Robert II., dated 27th December 1375, of the forest of Colly, the forest of the Month, the lands of Terachty, Glastolach, Cragy, and Clochnahule, which formerly belonged to the thanage of Colly, (Cowie,) in the county of Kincardine, on the resignation of his father, William Keith, knight, marischal of Scotland; and of the barony of Strathechyn, with the forests of the same; and of Coulpsauch and Corlethny, in the same county, by the grant of the said William, and Margaret Fraser, his wife, to be held by the said Robert, and his heirs, of them, and of Robert de Keith, their heir, son of the deceased John de Keith, their son. Robert, Duke of Albany, governor of Scotland, on the 12th of March 1406-7, ratified two charters, the one of his beloved father, William de Keth.

Marischal.

Carta penes Keith de Dunnottar. Reg. Mag. Sig. III, 223, 224.

* Wyntoun narrates a conflict betwixt Robert de Keth, a mighty man by lineage, and apparent to a lord of might of many lands, and Sir James Lindsay of Crawford, near the kirk of Bourty, in Garioch in 1395, wherein Robert was discomfited, with the loss of fifty men. Sir James Lindsay had gone to the relief of his wife, who was besieged and molested by her nephew, Robert de Keith, in her castle of Fyvie, in Formartin. Wyntoun, II. 371.

Marischal. knight, Marischal of Scotland, and Margaret Fraser, his wife, dilecto fratri nostro Roberto de Keth, domino de Troup, militi, of the office of sheriff of the county of Kincardine; and the other of the said William de Keth, to the said Robert de Keth, his son and heir, of the barony of Keth, the office of Marischal of Scotland, the lands of Colbanystoun, in Lanarkshire; the lands of the barony of Aldene, and of the forest of Kyntor and Carnbrowys, in Aberdeenshire, &c. to be held by the said Robert, and his heirs male, of the King of Scotland, according to the tenor of a charter of the same, tailzied and granted by King Robert I., quondam Domino Roberto de Keth, Marescallo Scotiæ, avunculo nostro, per ordinationem suî parliamenti. These charters confirmed were dated 20th September 1406. He succeeded his father soon afterwards; was one of the commissioners to treat for the liberation of King James I., 1421; and when it was accomplished, was a hostage for his ransom, his estate being valued at 800 marks. In his elder brother's lifetime, he married the heiress of Troup, with whom he got that barony, and by whom he had issue. He is also said to have married Lady Elisabeth Lindsay, daughter of David, first Earl of Crawford. His children, by the first marriage, were,

Fœdera, X. 125, 307, 327. D.

1. Sir *William.*

Reg. Mag. Sig. 251.

2. *John*, who got from his father a charter of the barony of Troup, in Banffshire, to be held by the said John, and the heirs male of his body, lawfully to be procreated; which failing, to Alexander de Kethe, son of Robert, the Marischal, and the heirs male of his body, lawfully to be procreated, dated 2d June 1413, confirmed by Robert, Duke of Albany, on the 20th of the same month. From this John descended George Keith of Northfield, who was, 24th September 1782, served heir male of Sir Robert Keith, great Marischal of Scotland.

3. *Alexander*, next in remainder to his brother, and his heirs male, in the charter of Troup.

1 *Margaret*, married to Hugh Arbuthnott of Arbuthnott.

2. *Elisabeth*, married to Alexander Irvine of Drum.

3. *Christian*, married to Thomas Monypenny.

Marischal. Robertson's Index, 141.

XI. Sir WILLIAM KEITH, great Marischal of Scotland, the eldest son, under the designation of William, Lord Keith, Marischal of Scotland, granted a charter, with permission of King James II., to Robert de Keith, knight, his eldest son, William, John, and Alexander, brothers of Robert, and the heirs male of their bodies respectively; which failing, to his nearest heirs male, bearing the name and arms of Keith, according to the tenor of the charter of King Robert I., of the lands and baronies of Keith, Garvok, Dunnottir, Fetheressow, Strathechin, Culpersow, Kyntor and Aldene, with the offices of marischal of Scotland and sheriff of the county of Kincardine, dated 20th May 1442, confirmed under the great seal, 28th October 1444. He was one of the guarantees of a treaty of peace with the English 1457; and was, by King James II., created Earl Marischal of Scotland before 4th July 1458, on which day Alexander Straton, deputy of Earl Marischal, made an account in the Exchequer at Perth, in the sheriff roll of Kincardine. He died before 1476. By his wife, Mary, daughter of Sir James Hamilton of Cadyow, he had issue,

Mag. Sig. I. ii. No. 128.

Fœdera, XI. 403. D.

Carmichael, 6.

1. *Robert*, in whose favour his father resigned his estates and offices 1442; he died in 1446, leaving by his wife, Janet, daughter of Sir John Seton of Seton, a daughter, Jean, married to Andrew, third Lord Gray.

2. *William*, second Earl Marischal.

3. *John.*

4. *Alexander.*

1. Lady *Janet*, married, first, to John Lesly, grandson and apparent heir of George, Earl of Rothes; secondly, to Thomas, second Lord Innermeath.

Carta Penes Com. de Rothes. D.

2. Lady *Egidia*, married to John, second Lord Forbes.

XII. WILLIAM, second Earl MARISCHAL, the eldest surviving son, sat in the parliament of Scotland held at Edinburgh, 1st July 1476. He joined the party of the Prince against King James III., in 1488, and sat in the first parliament of

Rec. Parl. 198.

Pinkerton, I. 323.

Marischal.

King James IV. that year. He married Mariota or Muriella, third daughter of Thomas, first Lord Erskine, by whom he had issue,

1. *William*, third Earl Marischal.

Mag. Sig. L. xviii. No. 63.

2. *Robert*, who, in a charter granted by his brother, William, Earl Marischal, dated 3d March, 1511-2, to Sir William Ogilvy of Strathern, appears among the witnesses under the designation of Robert Keith, brother-german of the said Earl.

3. *Alexander*, to whom he gave the lands of Auquhorsk, which continued in the possession of his descendants till they were sold by Mr James Keith, W. S. and his son, Professor Thomas Keith, of the Marischal College, Aberdeen, paternal grandfather of the worthy and able Dr George Skene Keith, minister of Keithhall, representative of this branch.

L. xiii. No. 87.

4. *John*, who got the estate of Craig, and part of Garvock from his father. This property was sold by his descendant, Colonel Robert Keith, who had a son, Robert Keith of Craig, ambassador to the Courts of Vienna and Petersburgh, father of Sir Robert Murray Keith of Murrayshall, K. B. ambassador to the Courts of Dresden, Copenhagen and Vienna, and of Sir Basil Keith, governor of Jamaica, both of whom died without legitimate issue. Of this family was Sir George Keith of Powburn, created baronet, 4th June 1663, who died without issue; and the Keiths of Crichie, now represented by Major Alexander Keith, son of the late Collector Keith at Aberdeen. An account of this branch is contained in Douglas's Baronage, 443 to 445.

XIII. WILLIAM, third Earl MARISCHAL, the eldest son, occurs first in the records of parliament, 10th December 1482, as pursuer in a civil cause, being designed William Keith, son and apparent heir to William, Earl Marischal, procurator for his father. He succeeded to the title not long afterwards; had charters of the lands of Cranstoun, and Mill of Owres, in the county of Kincardine; from Laurence, Lord Oliphant, 8th January 1490-1; of the barony of Owres in the same county, from Patrick Crichton of Cranstoun-Riddel 14th October 1495; of the barony of Aldene in Aberdeenshire; and the lands of Pitblad and Pittendrum annexed thereto, 10th November 1503; of the lands of Brunstoun and Johnstoun, in the county of Kincardine, 2d February 1506-7; and of the lands of Auchinchamper, 3d March 1511-2. When John, Duke of Albany, governor of Scotland, went to France in 1519, William, Earl Marischal, had the custody of the young King, James V., in the castle of Edinburgh, in the Earl of Marr's absence, and behaved so well in that trust, as to acquire the esteem of his Majesty. He died about 1530. He married, contract dated 1482, Lady Elisabeth Gordon, fifth daughter of George, second Earl of Huntly, and had issue,

Rec. Parl. 287.

Mag. Sig. L. xii. No 188. L. xiii. No. 135. L. xiv. No. 45, 296, L. xviii. No. 20.

Penes Ducem de Gordon. D.

1. *Robert*, Lord Keith.

2. *William*, to whom his father granted a charter of the barony of Troup, dated at Dunottar, 3d February 1493-4, *Willielmo* Keith, filio secundario dicti comitis, and the heirs male legitimately to be procreated of his body, remainder to Gilbert Keith his brother-german, third son of the said Earl, and the heirs male legitimately to be procreated of his body, remainder to the nearest legitimate heirs whatsoever, of William, bearing the name of Keith, confirmed by charter under the great seal, 21st April 1494. He was killed at Flodden, 9th September 1513, without issue.

Mag. Sig. L. xiii. No. 122.

3. *Gilbert*, substitute to his brother in the charter of Troup, 1494; he got from his father the lands of Pittendrum, which he resigned on succeeding to the barony of Troup, 1513. He left no issue.

4. *Alexander*, who obtained from his father a precept of sasine for infefting him in the lands of Pittendrum, resigned by his brother, 4th February 1513-4, and he was infeft on the 11th of the same month. He was succeeded by his son, John, who married his cousin, Barbara Keith, by whom he had a son, named William, as is instructed by a procuratory of resignation, 25th March 1599. This William had two sons, Alexander and William. From the eldest son, Alexander, descended Alexander Keith of Uras, and Bishop Robert Keith, author of the History of the Affairs of the Church and State of Scotland, and the Catalogue of Bishops of that Kingdom,

Penes Keith de Dunottar.

Ibid.

Marischal. who died without male issue, 1757. Alexander Keith of Uras left two sons, Alexander and Robert, who both died unmarried, the latter in 1780, being then captain of a company in the third regiment of foot-guards, with the rank of colonel in the army; he had studied the military art in Prussia under Earl Marischal and Marechal Keith. The representation of the Marischal family, in the direct male line from William the third Earl, then devolved on Alexander Keith of Dunottar, in the shire of Kincardine, and of Ravelstoun, in the county of Edinburgh, descended from William Keith of Camculter, second son of William Keith of Pittendrum, and brother of Alexander Keith of Uras. This Alexander Keith of Ravelston purchased, in 1766, from George, Earl Marischal, the castle and lands of Dunottar; and the Earl ordered the whole family papers, and the black stock of Dunottar, an oaken table, said to be brought by the Catti from Germany, reckoned an antient heir loom of the family, to be delivered up to him as an acknowledgment of his descent. Alexander Keith of Dunottar and Ravelstoun, was born 9th March 1705, and died 12th September 1792, in the 88th year of his age. He married, in January 1732, Johanna, third daughter of Sir John Swinton of Swinton, in the county of Berwick; and by her, who, surviving only a few weeks an union of more than sixty years, died 29th December 1792, had, besides several children who died young, 1. Alexander Keith of Dunottar and Ravelstoun, married, in April 1811, to Margaret, youngest daughter of Laurence Oliphant of Gask. 2. Robert, who died in the service of the East India Company, unmarried. 3. William Keith of Corstorphine-hill, who died, much regretted, in 1803. He married, 3d November 1779, Marianne, daughter of James Rae of Coldoch, by whom he had Alexander, James, William, John, Agnes, and Isabella. 4. George, who died unmarried. 1. Agnes, a young lady of superior attainments and worth, who died unmarried. 2. Margaret. A more particular account of the family of Keith of Ravelstoun, is inserted in Douglas's Baronage.

Deugl. Bar. 389, 590. Carta penes D. Montrose, Ad. An. 1516. D.

1. Lady *Janet*, married to William, second Earl of Montrose.

2. Lady *Elisabeth*, married, first, to Colin, Master of Oliphant; secondly, to William, second Lord Sinclair.

Marischal. Carta in Pub. Arch. Ad. An. 1526. D. Ibid. D.

3. Lady *Agnes*, married to Sir Archibald Douglas of Glenbervie.

4. Lady *Beatrix*, married to Alexander Fraser of Philorth. All had issue.

XIV. Robert, Lord Keith, the eldest son, had charters to "Robert Keith, "eldest son of William, Earl Marischal," and Elisabeth Douglas, his wife, of the lands of Auchincloiche, Tortolle, &c. 8th January 1505-6. He fell at the battle of Flodden, along with his brother, William, 9th September 1513 *, leaving, by his wife, Lady Elisabeth Douglas, eldest daughter of John, second Earl of Morton, four children,

Mag. Sig. L. xiv. No. 255, 258.

Carta penes Com. de Morton. D.

1. *William*, fourth Earl Marischal.

2. *Robert* Keith, commendator of Deer, father of Andrew Keith, created Lord Dingwall, 1587, who died without issue.

1. *Elisabeth*, married to George, fourth Earl of Huntly, and had issue.

2. *Jonet*, married to John, seventh Lord Glamis, and had issue.

3. *Christian*, married to Sir Robert Arbuthnott of Arbuthnott, and had issue.

XV. William, fourth Earl Marischal, the eldest son, had a charter to "William Keith, son and heir of the deceased Robert Keith, Master of Marischal, and also grandson and heir apparent of William, Earl Marischal," and his heirs male of entail, bearing the name and arms of Keith, of the lands and baronies of Dunnottar, Fedderesso, Garvock, the office of sheriff of Kincardine, and constable of Kincardine, Cowie, and Durris, of the barony of Keith, and the office of Marischal of the whole kingdom of Scotland, the lands of Cowie, Strathauchin, Culpresso, Owres, Bryntown, and Johnston, in the county of Kincardine; Kintore, Awdane, Easter Skene, Kirktoun, Easter Tardney, and Tarlogy, in Aberdeenshire; Troup, Durn, and Auchinchamper, in Banffshire; and to him and his heirs male what-

Mag. Sig. L. xx. No. 136. L. xxiv. No. 151, 252. L. xxvi. No. 145.

* The standard of Earl Marischal, in this battle, is now in the Advocates' Library; and an engraving of it may be seen in the Battle of Flodden, edited by Weber, with a note respecting its preservation.

Marischal.

ever of the lands of Auchrosk, &c. in Aberdeenshire, which belonged to Robert, Master of Marischal, and *Beatrix* Douglas, his wife, dated 22d April 1525. He succeeded his grandfather, 1530; had charters to "William, Earl Marischal," of Kincardine, making it the principal and capital burgh of the county of Kincardine, 27th January 1531-2; and of Fortheres, 16th August 1532. A charter was granted to William, Earl Marischal, and Margaret Keith, his wife, of one-fourth of the lands of Akergill, in the county of Caithness; Duffus, in the shire of Elgin; Innerugy, in Banffshire; and of Strabrock, in the county of Linlithgow, on the resignation of Elisabeth Keith, grand-daughter, and one of the heirs of Sir William Keith of Innerugy, knight, and sister of Margaret, 30th June 1538. William, Earl Marischal, accompanied King James V. on his matrimonial expedition to France, 1536; and had the appointment of an extraordinary lord of session, 2d July 1541. Sir Ralph Sadler, on his embassy to Scotland, 1543, found the Earl Marischal, whom he describes as a goodly young gentleman, well inclined to the marriage of Queen Mary with Prince Edward, and as bearing a singular good affection to Henry VIII. He was engaged in the battle of Pinkie, 1547; supported the reformation, 1560, making a speech in favour of that measure in the parliament of Scotland; was, for the second time, appointed one of the extraordinary lords of session, 12th November 1561, and continued in office till 18th January 1573.

Pitscottie, 240. Lord Hailes's Catal. Sadler, I. 99, 169.

During the unhappy transactions that followed the differences betwixt Queen Mary and Lord Darnley, the Earl Marischal, wisely thinking that the post of honour was a private station, retired to his castle of Dunottar, from whence he seldom stirred, and was called *William* of the Tower. His landed property, then extending to 270,000 marks of yearly rent, lay in so many counties, that he could travel from Berwick to the northern extremity of Scotland, eating every meal, and sleeping every night, upon his own estates. He died on the 7th of October 1581.

MS. Account of the Family.

Crawf. Peer. 320.

He married Margaret, daughter and coheiress (with her sister, Elisabeth, the wife of Lord Forbes,) of Sir William Keith of Innerugie, in Banffshire*, with whom he got considerable estates, and by her had issue,

Marischal.

1. *William*, Lord Keith.

2. *Robert*, Lord Altree; see that title.

1. Lady *Anne*, married, first, in February 1561, to James, Earl of Moray, Regent of Scotland; secondly, to Colin, sixth Earl of Argyll, and had issue to both.

2. Lady *Elisabeth*, married to Sir Alexander Irvine of Drum.

3. Lady *Alison*, married to Alexander, Lord Salton, from whom she had a charter of the barony of Salton, in her virginity, dated 28th August 1550, with consent of her father, William, Earl Marischal, and Elisabeth Hay, mother of Lord Salton, his curators.

Mag. Sig. L. xxx. No. 488.

4. Lady *Mary*, married to Sir John Campbell of Calder, from whom she had a charter of the dominical lands of Calder, in her virginity, 24th July 1575, wherein she is designed daughter of William, Earl Marischal.

L. xxxiv. No. 277.

5. Lady *Beatrix*, married to John Allardice of Allardice, from whom she had a charter of the dominical lands of Allardice, in her virginity, 20th November 1558: This charter is granted with consent of his curators, and she is therein designed daughter of William, Earl Marischal.

L. xxxii. No. 295.

6. Lady *Janet*, married to James Crichton of Frendraught.

7. Lady *Margaret*, married to Sir John Kennedy of Blairquhan, from whom she had a charter, in her virginity, of the barony of Twynhame, in the stewartry of Kirkcudbright, for her life, dated 29th August 1569, wherein she is designed daughter of William, Earl Marischal. All had issue.

Ib. No. 93.

XVI. WILLIAM, Lord KEITH, *the eld-*

* The marriage of the heiresses of Innerugie, worth L.10,000. was sold by the Duke of Albany in 1521. Pinkerton, II. 196. The Countess Marischal, with consent of her husband, granted a charter of Bordland and other lands, in the barony of Innerugie, 7th May 1543, to John Keith of Ravenscraig, her uncle (avunculus,) and the heirs male of his body; remainder to James, brother of John, John Keith of Balmuir, cousin (patruelis) of the said John Keith of Ravenscraig, James Keith, uncle (patruus) of the said John Keith of Ravenscraig. Mag. Sig. L. xxiii. No. 207.

Marischal. Pitcottie, 314. Sadler, L. 625.

est son, was taken prisoner in an inroad into England, 1558, and placed in the custody of the Earl of Northumberland, who allowed him to go home in December 1559, on bond. The exorbitant sum of L.2000 was demanded for his ransom. He died 10th August 1580, leaving, by his wife, Lady Elisabeth Hay, eldest daughter of George, sixth Earl of Errol, eight children,

Crawf. Peer. 320.

1. *George*, fifth Earl Marischal.

2. *William*, who got from his grandfather the lands of Akergill, in the county of Caithness, as appears from a bond of manrent in the possession of the Rt. Hon. Sir John Sinclair of Ulbster, Bart. M.P. He accompanied his brother on his travels abroad, was celebrated as a promising young man by Theodore Beza, who wrote a good poem on him, published in Jonstoni Heroes, 39. He was killed in a scuffle at Geneva, in his youth, unmarried.

Lord Hailes's MS. Notes.

3. *Robert*, who got from his father the lands of Benholm, of which he had a charter to Robert Keith, brother-german of George, Earl Marischal, 15th July 1594. He married, but had no male issue; and his brother, the Earl, acquired the lands of Benholm, by purchase, from John Gordon, to whom Robert had sold it.

Mag. Sig. L. xl. No. 104.

4. *John*, who had a remission under the great seal, to John Keith, brother of George, Earl Marischal, pro arte et parte proditorii incendii et combustionis loci et domorum de Crovie, 31st October 1598. He died unmarried.

L. xlii. No. 102.

1. *Christian*, married to Robert Arbuthnott of Arbuthnott.

2. *Barbara*, married to Alexander Forbes of Pitsligo.

3. *Margaret*, married to Sir William Keith of Ludquhairn.

4. *Jean*, married, in 1582, to James Gordon of Haddo. All had issue.

XVII. GEORGE, fifth Earl MARISCHAL, the eldest son, succeeded his grandfather, 1581; studied several years at universities abroad, visited most of the courts of Europe, and, it is said, was kindly received by the Landgrave of Hesse, the chief of the Catti, as a descendant of that tribe. He had a remission under the great seal, to him and twenty others, for being art and part in the slaughter of the deceased William Keith, apparent of Ludquhairn, dated 8th June 1585. He had charters of the lands and tenements belonging to the White Friars, and Friars preachers of Aberdeen, 17th May and 29th July 1587; and of the baronies of Innerugie, Dunottar, Keith, and others, 5th August 1587. He was sworn a privy-councillor to King James VI., and, in 1589, was sent ambassador-extraordinary to the court of Denmark, to settle the marriage of his Majesty with Anne of Denmark. He made a very splendid appearance, and acquitted himself so much to the satisfaction of the King and council, that he obtained an act of approbation and exoneration from them, 25th November 1589. He had charters of the baronies of Innerugie, Dunottar, Keith, &c.; also of the lordship of Altrie, to him and William, his eldest son, 26th September 1592; and, in 1593, founded the Marischal College, in Aberdeen, which he endowed from his own great estates, with funds sufficient for the support of a principal, and four professors of philosophy. The foundation was ratified by act of parliament, and approved of by the general assembly; and the seal of the college bears the arms of Keith, quartered with those of Aberdeen. After the accession of King James VI. to the throne of England, he conferred on the Earl the highest honour a subject was capable of receiving, by constituting him his high commissioner to represent his Majesty in the parliament of Scotland; his commission to that effect passed the great seal, 6th June 1609. He had charters of the lands of Arbirnie, to him and Margaret Ogilvy, his wife, and James Keith, their son, 20th June 1616; of the lands of Lochburn, to him and William, Lord Keith, Master of Marischal, 20th March 1618; and of the lands of Benholm, all in the county of Kincardine, to him and Margaret Ogilvy, his wife, 18th December 1618. He concluded an eminent, useful, and active life, at Dunottar Castle, on the 2d of April 1623, in the 70th year of his age, and was buried in St Bride's church, now called Dunottar.

Marischal.

Mag. Sig. L. xxviii. No. 119. L. xxxvi. No. 345, 420, 439.

Nisb. Her. App. II. 8. Commission by King James VI. and Testimonial in favours of said Earl, by the King of Denmark, penes Keith of Dunottar. Mag. Sig. L. xxviii. No. 86.

L. xlv. No. 348.

L. xlviii. No. 136, 399. L. xlix. No. 21.

His Lordship married, first, Margaret, daughter of Alexander, fifth Lord Home, by whom he had three children,

Marischal.

William, sixth Earl Marischal.

1. Lady *Anne*, married to William, second Earl of Morton, and had issue.

2. Lady *Margaret*, married to Sir Robert Arbuthnott of Arbuthnott, without issue.

His Lordship married, secondly, Margaret, daughter of James, sixth Lord Ogilvy of Airly, by whom he had two sons,

Mag. Sig. L. xlix. No. 208.

1. Hon. *James* Keith, who had a charter of the lands of Benholm, to James Keith, eldest son procreated betwixt George, Earl Marischal, and Margaret Ogilvy his wife, 3d December 1619. He married Margaret, daughter of Sir David Lindsay of Edzell, by whom he had three daughters, his coheiresses, Elisabeth, married to Sir Archibald Primrose of Dalmeny; Margaret, who died unmarried; and Agnes, married, contract dated 1652, to Patrick Smith of Braco, ancestor of the Smiths of Methven.

2. Hon. *John* Keith, who died without legitimate issue.

L. xlvii. No. 45, 47, 48. L. li. No. 29. L. lii. No. 6, 9.

XVIII. WILLIAM, sixth Earl MARISCHAL, the eldest son, had charters to William, Lord Keith, Master of Marischal, of the baronies of Innerugie, Dunottar, Altrie, &c. 21st October 1612; and to William, Earl Marischal, of the barony of Keith Marischal, in Nova Scotia, in America, 28th May 1625; of the lands of Kynnellar, 15th February 1627; and of Benholm, 22d February 1627. He was a privy-councillor to Charles I.; fitted out a fleet, in 1634, which he sent to Uladislaus VII. King of Poland, under the conduct of James Arnot of Kirktonhill, whose commission to that effect, beautifully written on parchment, and illuminated, is in the possession of Mr Keith of Dunottar. He died on the 28th of October 1635, leaving, by his wife, Lady Margaret Erskine, daughter of John, Earl of Marr, seven children,

1. *William*, seventh Earl Marischal.

2. *George*, eighth Earl Marischal.

Inq. Ret. in Pub. Arch.

3. Hon. Sir *Robert* Keith, who died unmarried.

4. *John*, Earl of Kintore.

1. Lady *Mary*, married, in April 1632, to John, Lord Kinpont, eldest son and heir apparent of William, Earl of Menteth, Strathern, and Airth, and had issue.

2. Lady *Jean*, married to Alexander, Lord Pitsligo. Marischal.

3. Lady *Anne*.

XIX. WILLIAM, seventh Earl MARISCHAL, the eldest son, succeeded his father, 1635; joined the association in favour of Charles I. at Cumbernauld, in January 1641; raised a troop of horse for the engagement to attempt the rescue of the King, 1648, and accompanied the Duke of Hamilton to England. He escaped from the rout at Preston; entertained King Charles II. in the castle of Dunottar, 1650; was one of the committee for forwarding the levies for his Majesty's army, who were made prisoners at Alyth, in Forfarshire, 28th August 1651, by a detachment of English horse from Dundee. His Lordship was sent prisoner to the Tower of London, where he continued till the restoration, and was excepted from Cromwell's act of grace and pardon, 12th April 1654, by which, lands of the clear yearly value of L.200 sterling, were settled on Mary, his eldest daughter, and of L.150 on each of his other daughters, Elisabeth, Isabel, and Jane. King Charles II., on recovering the throne of his ancestors, was pleased to nominate Earl Marischal one of his privy-council, and to constitute him keeper of the privy-seal; but he did not long enjoy these marks of royal favour, dying in 1661. He married first, in 1637, Lady Elisabeth Seton, eldest daughter of George, second Earl of Winton; and by her, who died in childbed, in 1650, aged 28, had a son,

Hay's Geneal. Coll. II. 266.

William, Lord Keith, born 11th August 1638, who died an infant;—and four daughters,

Tranent Reg.

1. Lady *Mary*, married, first, 29th October 1657, to Sir James Hope of Hopetoun; secondly, to Sir Archibald Murray of Blackbarony, and had issue by both.

Lamont's Annals, MS.

2. Lady *Elisabeth*, married to Robert, second Viscount of Arbuthnott, and had issue.

3. Lady *Jean*, married to George, third Lord Banff, and had issue.

4. Lady *Isabel*, married to Sir Edward Turner, baronet, whose father, Sir Edward Turner, baronet, was member for Hertford, and speaker of the House of Com-

Marischal.

mons from 1661 till 1671, when he was appointed Chief Baron of the Court of Exchequer in England*.

Malcolm's Londinum Redivivum.

The Earl married, secondly, at London, in April 1654, Lady Anne Douglas, eldest daughter of Robert, Earl of Morton, without issue. His brother,

XIX. GEORGE, eighth Earl MARISCHAL, in his younger years served in the French army, and rose to the rank of colonel; returned home at the commencement of the civil wars; commanded a regiment of foot at the battle of Preston, 1648; and at the battle of Worcester, 1651, had the charge of three regiments appointed to guard Powet Bridge. He maintained this post with great courage, till overpowered by superior numbers, he was taken prisoner. He succeeded his brother in 1661, and died in 1694, leaving, by Lady Mary Hay, his wife, eldest daughter of George, second Earl of Kinnoul, an only son,

Minutes of Parliament.

XX. WILLIAM, ninth Earl MARISCHAL, who took the oaths and his seat in parliament 19th July 1698. According to a contemporary writer, "he always opposed the measures of King William's reign; "he is very wild, inconstant, and passionate; does every thing by starts, hath "abundance of flashy wit; and, by reason "of his quality, hath good interest in the "country: All endeavour to have him on "their side, for he gives himself liberty of "talking when he is not pleased with the "government. He is a thorough libertine, "yet sets up mightily for episcopacy; a "hard drinker; a thin body; a middle stature; ambitious of popularity; 45 years "old." In the parliament, 6th May 1703, his Lordship protested against the calling of any of the Earls before him. He opposed the union, voting against that treaty on every question, and entering a solemn protest against it. On the conclusion of the measure, his Lordship, as heritable keeper of the regalia of Scotland, ordered the same to be delivered up to the Earl of Glasgow, treasurer-depute, to be lodged in the castle of Edinburgh. And after the same were lodged in the crown-room of the castle, he protested, That the delivery thereof should not invalidate the Earl Marischal's right of keeper thereof, both in Scotland and in England; and in case the government should find the transportation thereof from Edinburgh Castle, to any other place within the kingdom, at any time hereafter necessary, &c. protested, That the same might not be done until intimation be made to the said Earl Marischal and his successors †, &c. On the formation of the Tory administration, Earl Marischal was chosen one of the sixteen representatives of the Scotish peerage, at the general election, 10th November 1710, and died 27th May 1712.

Marischal.

His Lordship married Lady Mary Drummond, eldest daughter of James, fourth Earl of Perth, high chancellor of Scotland, and by her had issue,

1. *George*, tenth Earl Marischal.

2. Hon. *James* Keith, born at Innerugie, 11th June 1696, who, engaging in the rebellion 1715, was attainted of high treason; he retired to the continent; was an officer in the Spanish service; where, finding promotion slow, he entered into the Russian army, and was promoted to the rank of general. He came to England in 1740; was introduced by the Russian ambassador to King George II., 25th January that year, and graciously received. He then went into the service of Frederick III., King of Prussia; that superior judge entertained the highest opinion of his military talents, and raised him to the rank of field-marshal. After much active service, returning from a separate command to join the King's army, at Hochkirchen, 13th October 1758, he censured the place of encampment, as laying them open to attack; and the King agreed to change his position next day. But that same night the army of Frederick was attacked by the Austrians, under Count Daun. On the first alarm, Marshal Keith

Mackye Memoirs.

* There were other children, who died infants, particularly Lady Margaret, born 16th July 1644. Tranent Register.

† The principal instrument, attested by seven notaries public, before twenty-two respectable witnesses, in the hands of Alexander Keith of Dunottar, is printed in the second volume of Nisbet's Heraldry.

Marischal. mounted his horse, assembled the troops nearest to him, and proceeded directly to the village of Hochkirchen, which had been taken possession of by the enemy. He drove them out of the village, but fresh troops coming up, he was obliged to retire; he rallied his men, returned to the charge, and regained possession of the place. Being again repulsed by reinforcements of the enemy, he made another effort, entered the village a third time, when, finding it untenable, he ordered it to be set on fire. During this warm contest, he charged at the head of his troops, exposing his life like a private captain of grenadiers, finding it necessary to exert himself in this manner, the better to remove the confusion that prevailed, and in order to inspirit the troops to their utmost exertion by his presence and example. Thus he kept the Austrians at bay, and maintained a desperate conflict with the flower of their army for some hours, till the Prussians began to file off in their retreat. At eight in the morning he was dangerously wounded, but refused to quit the field, continuing to signalize himself till nine, when he received a second shot in the breast, and fell senseless. His body was stripped by the Austrians, and lay exposed till it was perceived by Count Lasci, who had been Keith's pupil, and recognised it by the large scar of a wound the Marshal had received at Ockzakow. He ordered the body to be interred; it was afterwards taken up and decently buried by the curate of Hochkirchen, and finally removed to Berlin by the King, who bestowed on it those funereal honours due to dignified rank and transcendent merit; merit so universally acknowledged, that even the Austrians lamented him as their best friend, who protected them from violence and outrage. A monument was erected by Sir Robert Murray Keith in the church of Hochkirchen, with this inscription by Metastasio, "Jacobo Keith Gulielmi Comi-"tis Marescalli hered. regni Scotiæ et "Mariæ Drummond, filio, Frederici Borus-"sorum regis summo exercitus prefecto, "viro antiquis moribus et militari virtute "claro, qui dum in prælio non procul hinc, "inclinatum suorum aciem mente manu "voce et exemplo restituebat, pugnans ut "heroas decet, occubuit, anno 1758, mense "Oct." An eloge on him, published at Berlin, concludes in these terms: "Thus "fell one of the greatest men of this age, "worthy to be compared with those illus-"trious heroes who are the boast of Greece "and Rome." The Marechal never was married, and was in his 63d year at his death. Marischal.

1. Lady *Mary*, married, contract dated 8th February 1711, to John, sixth Earl of Wigton; she died about 1721, leaving one daughter, Lady Clementina Fleming, married to Charles, tenth Lord Elphinstone, and had issue. One of her sons, Sir George Keith Elphinstone, K. B. was created a peer, by the title of Baron Keith of Stonehaven Marischal, on account of his descent from this family.

2. Lady *Anne*, "justly esteemed for her "wit and beauty, and all the qualities "worthy of her noble birth," married to Alexander, sixth Earl of Galloway, and had issue, and died 1728.

XXI. GEORGE, tenth Earl MARISCHAL, the oldest son, born about 1693, succeeded his father in 1712, in titles, office of marischal, and in the estates of Dunottar, Fetteresso, and Innerugie, all the other property of the family having been dilapidated in the time of Cromwell's usurpation, or given away as provisions to younger branches. The Earl preferring the military line, Queen Anne gave him a troop of horse; and, on the death of the Earl of Crawford, he was, 3d February 1714, constituted captain of the Scotish troop of horse grenadier-guards. He signed the proclamation of George I., 1st August 1714; but, being unacceptable to the Duke of Argyll, he was deprived of his command, at the same time that his cousin, the Earl of Marr, was dismissed from his office of secretary of state. The Earl Marischal set out for Scotland in disgust; met his brother, James, at York, coming up to apply for promotion in the army; they returned home together; and, being highly irritated at the treatment his Lordship had met with, and instigated by their mother, who was a Roman Catholic, attached to the abdicated family, they rashly entered into the rebellion, 1715. In

Marischal.

consequence, an act of attainder passed against Earl Marischal, his titles and hereditary office of marischal, which last had been in the family since the days of Malcolm II., and his estates *, were forfeited to the crown. Escaping abroad, he returned to Scotland in 1719, with the Spanish troops sent by Cardinal Alberoni; they were defeated at Glenshiel; and the Earl a second time escaped to the continent. He resided for some time in Spain, in straitened circumstances, but at last went to Prussia, where he gained the friendship of Frederick III., who appointed him, in 1750, his ambassador-extraordinary to France; invested him with the order of the black eagle, and gave him the government of Neufchatel. He was, in 1759, ambassador from Prussia to the Court of Madrid, where, discovering the secret of the family compact, by which the different branches of the House of Bourbon had bound themselves to assist each other, he communicated that important intelligence to Mr Pitt, who, representing his lordship's case to King George II., a pardon was granted to him, 29th May 1759. The Earl Marischal thereupon quitted Madrid, which he had not left 36 hours, before notice was there received of the communication he had made; came over to Britain; was introduced to George II., 15th June 1760, and most graciously received.

33. Geo. II. Pr. 59.

An act of parliament was passed, in 1760, "to enable George Keith, late Earl Marischal, to sue or maintain any action or "suit, notwithstanding his attainder, and "to remove any disability in him, by reason of his said attainder, to take or inherit any real or personal estate that may "or shall hereafter descend or come to "him." His Lordship was thus enabled to inherit the entailed estate of the Earl of Kintore, who died in 1761; took the oaths in the Court of King's Bench, 26th January 1761; and the same year, an act

Stat. 1. Geo. III. c. 15.

of parliament was passed "to enable his "Majesty to grant to George Keith, late "Earl Marischal, a sum therein limited, "out of the principal money and interest "now remaining due to the public on account of the purchase-money of certain "parts of the forfeited estate of the said "late Earl." The sum granted to his Lordship by this act was L.3618, with interest from Whitsunday 1721. The Earl Marischal purchased part of his family estates from the York Buildings Company, 1764. He intended to have resided in Scotland; but the King of Prussia repeatedly urging his return, saying, in one of his letters, If I had a fleet I would come and carry you off by force; the Earl went back to Prussia, and there passed the remainder of his life. One who visited Prussia, about 1777, thus expressed himself: We dined almost every day with the Lord Marischal, who was then 85 years old, and was still as vigorous as ever, both in body and mind. The King had given him a house adjoining the garden of Sans Souci, and frequently went thither to see him. He had excused himself from dining with him, having found that his health would not allow him to sit long at table; and he was, of all those who had enjoyed the favour of the King, the only one who could truly be called his friend, and who was sincerely attached to his person. The King, who was alive to friendship, had remarked in his Lordship this disposition towards him, and had set so much value upon it, that there never was any person for whom he shewed so much regard, deference, and friendship. Of course, every body paid court to him; he was called the King's friend; and was the only one who had merited that title, for he had always stood well with him, without flattering him. His Lordship died, unmarried, at Potsdam, on the 28th of May 1778, in the 86th year of his age; an "Eloge de My-"lord Marechal," by M. D'Alembert, was published at Berlin in 1779.

Marischal.

Memoirs of a Traveller now in retirement, III. 22.

On his death, the estate of Kintore, with the old castle of Hall-forest, given to this family by King Robert I., and Keithhall, with the title of Earl of Kintore, devolved on Lord Halkertoun, as heir of entail; and his other property was divided among his grand-nephews, John, eleventh Lord Elphinston, the Hon. William Fullerton Elphinston, and the Hon. George Keith Elphinston, now Lord Keith. The male representation of the Marischal fa-

* The net rental of the Marischal estate, in 1718, was L.2384 per annum; it was sold to the York Buildings Company, in 1720, for L.41,172.

Marischal.

mily, to which the office of marischal, the title, and estate, were uniformly destined, appears now to be vested in Alexander Keith of Dunottar and Ravelstoun, descended, as already stated, from William, third Earl Marischal, all the male descendants of the subsequent Earls having failed.

CREATIONS.—Great Marischal of Scotland, after the battle of Barry, in 1010; Earl Marischal, before 4th July 1458.

ARMS.—Argent, on a chief, Or, three pallets, gules.

CREST.—A hart's head, erased, proper, attired with ten tynes, Or. Marischal.

SUPPORTERS.—Two harts, proper, attired as in the Crest.

MOTTO.—*Veritas vincit.*

Behind the shield two batons, gules, semee of thistles, ensigned on the top with an imperial crown, Or, placed saltireways, as badges of the office of Great Marischal of Scotland.

MARR, EARL OF MARR.

Marr.

Suth. Add. Case v. 35.

ON the title of Marr Lord Hailes remarks, This is one of the earldoms whose origin is lost in its antiquity. It existed before our records, and before the æra of genuine history.

Martin's Gen. Collections, I. 297. D.

I. MARTACUS, Earl of MARR, is witness to a charter of a donation by Malcolm Canmore to the Culdees of Lochleven, of the manor of Kilgad-Earnoch, 1065. His son,

Chartul. of Scone, penes Vic. de Stormont. D.

II. GRATNACH, second Earl of MARR, witnessed the foundation charter of the monastery of Scone, by King Alexander I., 1114. He was father of

Chartul. of Dunfermline. D.

III. MORGUNDUS, third Earl of MARR, who witnessed the grant of the lands of Balchristan to the monks of Dunfermline by King David I.; also to the donation to the same monks of the lands of Inchmalder by King Malcolm IV. He was father of *

* In the first edition, Morgundus, Earl of Marr, is said to have had a second son, Congal de Marr, designed by the title of Tullibardin, whose only child, Muriel, was married to the Earl of Strathern, to whom she had a daughter, Adda, who brought to her husband, Sir William Murray, the lands of Tullibardine. This is not consistent with chronology.

IV. GILLOCHER, fourth Earl of MARR, who witnessed a charter of King Malcolm IV. 1163. He had a son, Marr. Haddington's Collections. D.

V. MORGUND, fifth Earl of MARR, to whom, in 1171, King William I. granted a renewal of the investitures of the earldom of Marr, according to a curious writing, preserved by the excellent Selden, of this tenor, Willielmus, &c. Sciatis Morgundum, filium Gillocheri, quondam Comitis de Marre, in mea præsentia venisse, apud Hindhop Burnemuthæ, in mea foresta, 10 Kal. Junii 1171, petendo jus suum de toto comitatu de Marr, coram communi consilio et exercitu regni Scotiæ ibidem congregato. Ego vero cupiens eidem Morgundo, et omnibus aliis, jura facere, secundum petitionem suam, jus suum inquisivi per multos viros fide dignos, videlicet, per barones et thanos regni mei; per quam inquisitionem inveni dictum Morgundum, filium et hæredum legitimum dicti Gillocheri, Comitis de Marr; per quod concessi et reddidi eidem Morgundo, totum Titles of Honour, 848. Suth. Add. Case, v. 36.

Marr. comitatum de Marr, tanquam jus suum hæreditarium, sicut prædictus Gillocherus, pater suus, obiit vestitus et sasitus: Teneudum et habendum eidem Morgundo, et hæredibus suis, de me et hæredibus meis, in feodo et hæreditate, &c. He made a donation to the priory of St Andrews, of the church of St Mathulnoth de Thartulend, with the teinds, and the mill, and a carucate of the land called Gochilstoun, for the welfare of the souls of himself, and Agnes, his wife, &c. He had five sons,

Chartul. of St Andrews. D.

1. *Gilbert*, sixth Earl of Marr.
2. *Gilchrist*, seventh Earl of Marr.
3. *Duncan*, eighth Earl of Marr.
4. *Malcolm*, designed filius Morgundi, Comitis de Marr, in a confirmation charter of his father's donation to the priory of St Andrews.

Ibid.

Chartul. of Aberdeen, 572. D.

5. *James*. In the foundation charter by Matthew, Bishop of Aberdeen, (1164 to 1199,) to the hospital of St Peter in that town, Gilbertus, Comes de Marr, Malcomus et Jacobus, fratres ejus, filii Morgundi, are witnesses.

VI. GILBERT, sixth Earl of MARR, the eldest son, is mentioned in a charter of William I., 1178, and in a confirmation by the same monarch of all the donations made by his predecessors to the religious at Aberdeen, 1180. Dying without issue, he was succeeded by his brother,

Haddington's Collections. D. Chartul. of Aberdeen. D.

VI. GILCHRIST, seventh Earl of MARR, who witnessed many of the charters of William I., in the chartularies of Aberdeen and Moray. He gave to the episcopal see of Moray the patronage of the church of Abercherdor; but a dispute happening betwixt him and Bricius, Bishop of Moray, respecting that patronage, they, at the request of King William, made it over to the monks of Dunfermline. He witnessed the foundation charter of Inchaffray, by Gilbert, Earl of Strathern, in 1200, and he built a priory at Monimusk, for canons regular of St Andrews, before 1214. Dying without issue, he was succeeded by his brother,

Chartul. of Moray, Dunfermline, Inchaffray, and St Andrews. D.

VI. DUNCAN, eighth Earl of MARR, who, early in the reign of Alexander II., made a donation to God and St Mary of Monymusk, and the Culdees serving God there, of the church of Lochil, for the welfare of the souls of King William, Morgund, Earl of Marr, his father, Margaret, Countess of Marr, his mother, their ancestors and successors, and for the prosperity of King Alexander II. He also made an agreement with John, Prior of St Andrews, concerning some donations made to that priory by Morgund, Earl of Marr, his father, in 1226; and he died before 1234, leaving, by Orabella his wife, daughter of William, son of Nesius, Lord of Latherisk, a son,

Marr. Chartul. of Aberdeen, 506, and St Andrews. D.

VII. WILLIAM, ninth Earl of MARR, who witnessed a charter of King Alexander II. to the monastery of Kelso, 1234, and a confirmation charter from the same prince to the abbey of Cambuskenneth. He was one of the guarantees of a treaty with England in 1237 and 1244. He was removed from the councils of Alexander III. in 1255, when the party of Henry III. prevailed; he was then said to be in malis artibus ingeniosus satis; but, in 1258, William, Earl of Marr, was appointed one of the regents of Scotland. He had a charter from Alexander III. of the lands of Tillicultry, in the county of Clackmannan, in the 14th year of his reign, 1262-3, and was, in 1264, constituted great chamberlain of Scotland, as, in an original charter of that monarch, dated 17th October 1265, the Earl of Marr is designed camerarius noster. He confirmed all the donations which Morgund, Earl of Marr, his grandfather, had made to the prior and convent of St Andrews, by two charters, dated in 1267, witnessed by Donald and Duncan, his sons. He was sent on a special mission to Henry III. of England, in 1270, and died not long afterwards. By Elisabeth, his wife, who died in 1267, daughter of William Cumyn, Earl of Buchan, he had two sons,

Chart. Kelso and Cambuskenneth. D. Fœdera, I. 252, 428. Dalr. Ann. I. 183, 188. In Arch. Fam. de Marr. Crawf. Off. St. Chart. of St Andrews, 676, 677. Fœdera, II. 115.

1. *Donald*, tenth Earl of Marr.
2. *Duncan*.

VIII. DONALD, tenth Earl of MARR, the eldest son, received the honour of knighthood from King Alexander III., at Scone, 29th September 1270, and witnes-

Ibid.

Marr.

sed a charter of that monarch to the last Earl of Lennox, 1272. He also witnessed the marriage-contract of Margaret of Scotland, with Eric, King of Norway, 1281; was one of the Scotish nobles who became bound to acknowledge Margaret, Princess of Norway, as their sovereign, in the event of the demise of King Alexander III. in the parliament of Scone, 5th February 1283-4. He appeared in the assembly of Brigham, 12th July 1290, when the treaty for the marriage of Queen Margaret with Prince Edward of England was concluded; and he was one of the nominees chosen on the part of Robert Bruce in his competition for the crown of Scotland, 1290. He died in 1294, leaving a son,

Chart. Lennox, 10. D. Fœdera II. 183, 266, 471, 553, 558.

Gratney, eleventh Earl of Marr; and two daughters,

1. Lady *Isabel*, married to King Robert I., and was grandmother of King Robert II.

2. Lady *Mary*, married to Kenneth, third Earl of Sutherland.

IX. GRATNEY, eleventh Earl of MARR, the only son, succeeded his father, 1294, and died before 1300. He married Lady Christian Bruce, daughter of Robert, Earl of Carrick, sister of King Robert I.; and by her, who married, secondly, Sir Christopher Seton of Seton; thirdly, Sir Andrew Moray of Bothwell; had a son,

Donald, twelfth Earl of Marr; and a daughter,

Lady *Elyne*, married to Sir John Menteth, and had a daughter, Christian, married to Sir Edward Keith, who had a daughter, Janet, married to Sir Thomas Erskine, and was mother of Sir Robert Erskine, who, in her right, claimed the earldom of Marr.

X. DONALD, twelfth Earl of MARR, the only son, succeeded his father, 1300, being then very young. When his uncle, King Robert Bruce, asserted his right to the throne of Scotland, and was defeated in 1306, the young Earl of Marr was imprisoned, but not chained, in respect of his tender years. He remained in captivity, in England, till after the battle of Bannockburn, 1314, when he, along with the wife, sister, and daughter of Bruce, and the Bishop of Glasgow, were exchanged for the Earl of Hereford. After his release, he seems to have established his chief residence in England. He was present in the parliament of Scone, 1318; but his name does not appear in the letter to the Pope, 1320. He was appointed by King Edward II. guardian of the castle of Bristol, which he delivered to the Queen, and repaired into Scotland 1326. He held a subordinate command in the invasion of England, under Randolph and Douglas, 1327; had charters from King Robert I. of his thanage of Colvith, in Angus; of the lands of Saline, in Fife; Mountblairy, in Banffshire, and others, in 1324, 1328, and 1329. Upon the death of Randolph, Earl of Moray, regent of Scotland, the Earl of Marr was unanimously elected to fill his place, by the parliament assembled at Perth, 2d August 1332. He immediately assumed the command of the Scotish army; which, by his ignorance of military discipline, was totally defeated, by inferior forces under Edward Baliol, on the 12th of that month, and the Earl of Marr paid for his inexperience with his life, being stifled to death in the rout.

Marr.

Dalr. Ann. II. 19, 61, 163.

In Arch. Fam. de Marr. D.

Robertson's Index, 25.

Dalr. Ann. II. 165.

He married Isabel, only daughter of Sir Alexander Stewart of Bonkil, sister of John, Earl of Angus, and by her, who married, secondly, William de Cariswell, and died 1347, had a son,

Lord Hailes' MS. Notes.

Thomas, thirteenth Earl of Marr; and a daughter,

Lady *Margaret*, of whom afterwards.

XI. THOMAS, thirteenth Earl of MARR, the only son, succeeded his father, and was much concerned in public transactions in the reign of King David II. He was one of the ambassadors to treat about the liberation of that monarch from captivity in England, 1351; and one of the seven great lords from whom three were to be selected as hostages when David was released, in 1357. The Earl of Marr was constituted great chamberlain of Scotland, 1358; was named an ambassador to treat with England 1362, and one of the guarantees of a truce with that nation, 1369. He had a safe-conduct to England 1373, and returned the following year. It appears that he became a pensioner of King

Rymer V. 711. VI. 222. D.

Dalr. Ann. II. 269.

Crawf. Off. St. 298. Rymer, VI. 395, 633, 760. VII. 30. D.

Lord Hailes's MS. Notes.

Marr.

Edward III., from whom he got 600 marks sterling of pension. He obtained from King David II. a charter of confirmation of the lordship of Garioch, to be holden by him and his heirs whatsoever, as freely as David, Earl of Huntingdon, held the same; and he granted a great number of charters to his friends and vassals. Dying without issue, 1377, in him ended the direct male line of the old Earls of Marr.

In Arch. Fam. de Marr. D.

Robertson's Index, 31.

He obtained a dispensation for his marriage with Margaret, widow of John de Moravia, (probably of Bothwell,) 1352; and another for his marriage with Margaret, daughter of the deceased John, Earl of Menteth, 1354. From this lady he was divorced, and she married Robert, Duke of Albany. The Earl of Marr married, thirdly, Lady Margaret Stewart, eldest daughter of Thomas, second Earl of Angus, heiress of her brother, Thomas, the third Earl. She married, secondly, William, first Earl of Douglas, and was mother, by him, of George Earl of Angus.

A. Stuart, 446.

Fordun, II. 150.

Seth. Add. Case, v. 36.

XI. MARGARET Countess of MARR, succeeded her brother Thomas, the thirteenth Earl, and married, first, William, Earl of Douglas, who, in her right, became fourteenth Earl of Marr, and is designed Earl of Douglas and Marr in several charters. By him she had a son,

James, Earl of Douglas and Marr, killed at Otterburn, 1388, without issue; and a daughter,

Isabel, Countess of Marr.

Margaret, Countess of Douglas and Marr, having been divorced from her first husband, married, secondly, Sir John Swinton of Swinton, a gallant soldier, killed at Homildon, 1402, who was designed, in her right, Dominus de Marr, but had no issue by him. She died soon after 3d April 1385, when a charter was granted by James, Earl of Douglas, ad instantiam carissimæ nostræ dominæ Margaretæ Comitissæ de Douglas and Marr, in which he took the stile of Earl of Douglas only; but, after her death, he took the designation of Earl of Douglas and Marr.

XII. ISABEL, Countess of MARR, succeeded her brother, James, Earl of Douglas and Marr, in the earldom of Marr, 1388. She married, first, Sir Malcolm Drummond of Drummond, as appears from a charter of Robert III. to Malcolm Drummond, Earl of Marr, of a pension of L.20 money, furth of Inverness, in recompence and satisfaction of the third part of the ransom of Sir Randolph Percy, which exceeded L.600. In this charter, Drummond is called the King's brother; and Malcolm Drummond, Dominus de Marr, witnessed a charter of King Robert III. 1398*. He died without issue, before 27th May 1403, when she granted a charter in her viduity. She took to her second husband, Alexander Stewart, natural son of Alexander, Earl of Buchan, fourth son of King Robert II. His first appearance in life was at the head of a formidable band of robbers in the Highlands of Scotland; he cast his eyes on the Countess of Marr; stormed her castle of Kildrummie, and whether by violence or persuasion, obtained her in marriage. On the 12th August 1404, under the title of Isabel, Countess of Marr and Garioch, she granted her earldom of Marr and Garioch, with all other lands, &c. belonging to her by right of inheritance, to Alexander Stewart, and the heirs to be procreated betwixt him and her; which failing, to his lawful heirs and assignees whatsoever, to be held as freely as we or our predecessors, Earls of Marr, or of Douglas, held the same. This charter was registered by the special command of James III. 26th April 1476.

Marr.

Robertson's Index, 138.

Seth. Add. Case, v. 43, 44. Pinkerton, I. 76.

It would seem that Alexander Stewart, enterprising as he was, soon became sensible, that to seize the castle, to wed the heiress, and to carry off the earldom from the Countess's lawful heirs, were measures too bold, even in an age of misrule. He therefore endeavoured to palliate his conduct, and, on the 19th September 1404, he presented himself at the castle gate of Kildrummie, and surrendered to the Countess, not only the castle, but all its furniture; and the title deeds therein kept. In testimony of this he delivered the keys into her hands, freely, and with a good heart,

Seth. Add. Case, v. 45.

* Stow, in his Survey of London, mentions an Earl of Marr, who, in tilting with the Earl of Nottingham, at London, had some of his ribs broken, and died of his wounds, at York, in 1393. Probably Marr is a mistake for Moray.

Marr.

for her to dispose of them as she pleased. The Countess, holding the keys in her hand, of mature advice, chose the said Alexander for her husband, and in free marriage gave him the castle, with its pertinents, the earldom of Marr, &c.; and all other lands belonging to, or which might belong to her, either by her father or mother, to be held by her said husband and herself, and the heirs to be procreated betwixt them; which failing, to the said lady and her lawful heirs; upon all which, the said Alexander took instruments.

In terms of this declaration, the lady, under the title of Isabella de Douglas, Comitissa de Marr et de Garviach, granted a charter, sealed and dated 9th December 1404, in presence of Alexander, Bishop of Ross, and the whole tenants, in the fields, without the castle of Kildrummie, that it might appear to have been granted without force on the part of Alexander Stewart, or fear on hers. By it she granted, in nostra pura et libera viduitate, Alexandro Senescallo, in liberum maritagium cum persona nostra contrahend., the whole earldom of Marr, the castle of Kildrummie, the lordship of Garviach, the barony of Strathelvech, in Banffshire; the barony of Crichmond, in Buchan; 200 marks annually out of the customs of Haddington, the forest of Gedword, &c. ac etiam omne jus et clameum quod vel quæ habemus, vel haberi poterimus, in quibuscunque terris a nobis injuste detentis, tam ex parte patris quam ex parte matris, tenend. et habend. prædicto Alexandro, et hæredibus inter ipsum et nos procreandis, quibus forte deficientibus, hæredibus nostris legitimis ex utraque parte, (that is, the heirs of the Countess, by the mother's side, as well as the father's,) reservatis liberis tenementis omnium prædictarum terrarum dicto Alexandro et nobis, et nostrorum diutius viventi, pro toto tempore vitæ nostræ. This charter was ratified under the great seal, 21st January 1404-5.

Seth. Add. Case, V. 47.

After this, Alexander Stewart was uniformly stiled Earl of Marr and *Lord* of Garioch; and under that title he, with consent of his wife, granted investitures to the vassals of the earldom of Marr, bearing the lands to be held *de nobis* ratione dictæ consortis nostræ. The Countess of Marr died without issue, 1419, when, in terms of the charter last recited, the fee of the earldom should have devolved on the heir of line, Janet Keith, wife of Sir Thomas Erskine, the more especially as King Robert III. had bound himself to Sir Thomas, not to ratify any contract, or accept of any resignation, by which Isabella Douglas, Countess of Marr and Garioch, might attempt to alienate these earldoms, or any part of these lands, given under his great seal, 22d November 1393. But this was disregarded by King James I., whose great aim was to unite the antient earldoms to the crown, and thus to sap the foundations of a formidable aristocracy. Alexander Stewart, conscious that he had nothing but a liferent right, used the device of resigning the earldom into the King's hands. Immediately upon this a charter of the earldom was granted by the King, 28th May 1426, to Sir Alexander Stewart, and Sir Thomas Stewart, his natural son; to Sir Alexander for his life, and after his death to Sir Thomas, and the lawful heirs male of his body, which failing, to return to the crown. Thus the earldom, instead of descending to the heirs-general of the antient earls, was limited to the heirs male of the body of Sir Thomas Stewart.

Marr.

Seth. Add. Case, V. 48. Mag. Sig. L. ii. No. 8.

Alexander, Earl of Marr, was one of the ambassadors sent to England to treat of peace, 1406, when he had a safe conduct to go to London, with seventy horses in his retinue; and again, in 1407, when he engaged in a tournament with the Earl of Kent. The following year he went to France and Flanders, with a noble company, and eminently distinguished himself in the service of the Duke of Burgundy, who sent him to assist in quelling a rebellion of the people of Liege, against their bishop, John of Bavaria, as particularly detailed in the two last chapters of Wintownis Cronykil, in which he acquired no small renown. Wyntown says, he married the lady of Duffyl, in Brabant. There is a charter by Alexander Stewart, Earl of Marr and Garioch, and Dominus de Duffe, in Brabant, to his brother, Andrew Stewart, of the lands of Sandhalch, in Banffshire, confirmed by Robert, Duke of Albany. But, according to the first edition, Isabel, Countess of Marr, lived to 1419.

Rymer, VIII. 450, 461, 520. D.

Wyntoun, II. 421 to 440.

Robertson's Index, 166.

Marr.

Rymer, IX. 418. X. 491.

The Earl commanded the royal army at the battle of Harlaw, against the Lord of the Isles, 1411; was appointed ambassador-extraordinary to England, 1416; and soon afterwards warden of the marches. He died without issue, in August 1435. Fordun thus draws his character: Hic fuit vir magni conquestus, qui in juventute erat multum indomitus, et ductor catervanorum, sed postea ad se reversus, et in virum alterum mutatus, placenter trans montes quasi totum aquilonem gubernabat. Homo magnarum opum et ingentium expensarum, clari nominis, et famosus in diversis regionibus habebatur. Potens enim erat valde in rebus animatis et mobilibus. His natural son, Sir Thomas, having died before him, the earldom of Marr, in terms of the charter 1426, reverted to the crown.

Fordun, II. 500.

It has already been mentioned, that Janet Keith, wife of Sir Thomas Erskine, was heir of line to the earldom of Marr, and entitled to it, in fee, on the death of Isabel, Countess of Marr. Thomas, Lord Erskine, made an instrument of protestation to King Robert III. in parliament, concerning a contract made betwixt Sir Malcolm Drummond and Sir John of Swinton, relating to the earldom of Marr and lordship of Garioch, of which Isabel, Countess of Marr, Sir Malcolm's wife, was indisputed heiress, and failing heirs of her body, Janet Keith, wife of the said Thomas, was undoubted heiress; wherefore, the said Thomas required his Majesty not to give any confirmation of lands or rights whatsoever, which might belong to the succession of his said wife; which the King promised in parliament, 15th March 1390-1. King Robert III. also gave a declaration under the great seal, that he would not ratify any contract, or accept of any resignation, by Isabel, Countess of Marr, to the prejudice of Sir Thomas Erskine, or his heirs, 22d November 1393, and declaring, that, in case he should pass any negligently, the same should be void and of no effect. Notwithstanding this, the King, in the marriage contract of his daughter, Mary, with George, Lord of Angus, 24th May 1397, bound himself to ratify, under his great seal, all gifts or entails, made or to be made by Isabel, Countess of Marr, to the said George, and that he shall receive all resignations of the said Countess, and give charters and heritable possession to the said George and his beloved daughter, obliging himself not to receive any resignations from the said Countess, of any lands, &c. or to give any confirmations or grants thereupon, but to the said George and his daughter, retracting also if he has given any letters to Thomas, Lord Erskine.

Writs of the Family of Marr. D.

Scth. Add. Case, V. 44.

In Arch. Fam. de Douglas. D.

Marr.

King Robert III. confirmed a donation by Sir James Sandilands, to George, Earl of Angus, of all rights of succession competent to him after the decease of Isabel, Countess of Marr, of the barony of Cavers, with the office of sheriffship and keeping of Roxburgh Castle, the lordship, castle, and forest of *Jedburgh*, the *lordship* of Walton and Easdale, *in* Roxburghshire; the whole town of Selkirk, with the whole service of free tenants in that shire; the regality, superiority, and services of free tenants, in the baronies of Buttle and Drumlanrig, in Dumfries-shire; an annual-rent of 200 marks out of the customs of Haddington; the whole lands and rents of Down, Buck, Cabrach, and Cloveth, in Banffshire; the succession to the barony of Tillicultry, in Clackmannanshire, with the heritable succession of the whole lands to which the heirs of James, Earl of Douglas, might succeed, dated 6th May 1397.

In Arch. Fam. de Marr. D.

There is extant a bond of manrent betwixt David, Earl of Crawford, and Thomas, Lord [of] Erskine, dated 20th December 1413, obliging themselves to support each other; and whereas Thomas would be creditor to the Earl for 12,000 marks for the marriage of Sir Robert, his son, with the Earl's daughter, the Earl forgives him 6000 marks thereof, and obliges himself, after the decease of Isobel, Countess of Marr, to support the said Lord [of] Erskine, and Janet, his wife, with all his power and interest, and with all his friends, in case she would consent to the said marriage, in the recovery of the earldom of Marr and lordship of Garioch, and all other lands they could pretend right to; and if the said Sir Robert married his daughter, to support him in all things against all men, referring any differences that might happen betwixt them to the arbitration of friends.

Ibid.

On the death of Alexander, Earl of Marr,

Marr.

in 1435, Robert, Lord Erskine, claimed that earldom, to which he was undoubted heir, being only son of Sir Thomas Erskine, by Janet Keith, his wife, who was only child of Sir Edward Keith, by Christian Menteth, his wife, who was daughter and heiress of Sir John Menteth, Lord of Arran, Strathgartnie, and Knapdale, by Lady Elyne Marr, daughter of Gratney, the eleventh Earl, and sister of Donald, the twelfth Earl of Marr. The two first articles were fully proven by witnesses then alive; Lady Elyne's marriage with Sir John Menteth was proved by an infeftment from King David II. of the lands of Strathgartnie to Sir John Menteth and Elyne, daughter of Gratney, Earl of Marr, his wife. And as a further proof of Christian Menteth's being married to Sir Edward Keith, he produced a charter from Sir John Menteth, Lord of Arran, &c. in favour of Sir Edward Keith, and Christian Menteth, his dearest daughter, and their heirs, of the lands of Pirchock and Ludcairn. He further shewed that Thomas, Lord [of] Erskine, his father, and Dame Janet Keith, his mother, had, with his consent, conveyed these lands in favour of Duncan of Wemyss, son of Sir John Wemyss, and Elisabeth Erskine, his wife, their daughter, in free marriage, to them and their heirs.

In Arch. Fam. de Marr. D.

Ibid.

In consequence of these proofs, he was, 22d April 1438, served heir of Isabel, Countess of Marr, before the sheriff of Aberdeen; a precept was issued for infefting him as heir of Isabel, Countess of Marr, in November 1438; and an instrument of sasine followed thereon, 21st November 1438. He accordingly assumed the title of Earl of Marr, and granted various charters to vassals of that earldom. Nevertheless, he attained not to the peaceable possession of the earldom, as the ministers of King James II., in 1437, had procured an act of parliament, that no lands nor possessions belonging to the King be given to any man without consent of the three estates, unto the time of the King's age of twenty-one years.

Ibid.

By an indenture betwixt the King's council and Robert, Lord Erskine, calling himself Earl of Marr, dated 10th October 1440, it was agreed, for the good and quiet of the land, that the King should deliver up to him the castle of Kildrummie, to be kept by him till the King's majority, which done, the said Lord shall come before the King, and three estates, and show his rights and claims as far as law will. And further, it is accorded, that half of the revenues belonging to the earldom of Marr shall remain with him till the ending of the plea, and that whenever he shall receive the castle of Kildrummie, he shall deliver up not only the castle of Marr, but likewise the castle of Dunbarton.

Marr.

Robert, Lord Erskine, took a protest, in presence of the King and council, in Stirling Castle, 9th August 1442, complaining against the chancellor for refusing to retour him to the lordship of Garioch, and put him in possession of the castle of Kildrummie, protesting, that he should be free to intromit, at his own hand, with the whole lands of Marr and Garioch; and, accordingly, he immediately thereafter besieged and took the castle of Kildrummie, whereupon the King seized the castle of Alloa.

In Arch. Fam. de Marr. D.

An indenture was entered into, 20th June 1448, between the King and council on the one part, and Lord Erskine on the other part, by which Lord Erskine obliges himself to deliver up the castle of Kildrummie, betwixt and the 3d July next, to any persons the King should appoint, to be kept by them till the King's majority, and then to be delivered up to either of them who shall be found to have right to it, at the sight of the three estates, and to account to the King, at his majority, for one half of the earldom of Marr. And the King and council, on their part, obliged themselves, that so soon as the castle of Kildrummie should be delivered up to those appointed by the King, his Majesty should deliver up to Lord Erskine his castle of Alloa, and all the warlike stores found therein.

Ibid.

Sir Thomas Erskine appeared in parliament, 4th September 1449, as procurator for his father, and took instruments that Lord Erskine was ready to fulfil the terms of the above indenture, and that his right should not be prejudiced by lapse of time, he being willing to submit all questions to be determined by a full and free parliament, suspected persons, burgesses, being remo-

Ibid.

Marr.

ved. Nothing, however, was finally adjusted, when Robert, Lord Erskine, died. Then the crown took a bold measure indeed; by an after declaration of the legislature, we are authorized to give it its true appellation, that of an act of injustice.

Suth. Add. Case, v. 50.

The King insisted in a reduction of the service of Robert, Lord Erskine, 1. Because there were no witnesses who could swear to his descent from Elyne of Marr, long ago dead. 2. Because the service was contrary to the statute, touching the King's right to keep possession of all lands whereof his father was possessed. 3. Because Isabel, Countess of Marr, was not the person last seized in the earldom, but Alexander Stewart, and Thomas Stewart; to both of whom the King was heir by reason of their bastardy. 4. Because the King himself was heir to Isabel, Countess of Buchan, as descended from Isabel de Marr, the wife of Robert I., who was the elder sister of Elyne de Marr.

Ibid.

An assize of error was assembled at Aberdeen, in presence of the King, 15th May 1457; and the verdict of that assize reduced the service of Robert, Lord Erskine, and found that the King had right to the earldom of Marr, because, in virtue of the charter, 12th August 1404, and subsequent charter, 1426, to Alexander, and his natural son, the earldom of Marr had devolved to the King, *ratione bastardiæ*. This reduction was confirmed in parliament, 5th November 1457. Thomas, Lord Erskine, entered his protest against these proceedings; and it will not escape observation, that the charters of 9th December 1404, and 21st January 1404-5, already recited, were totally overlooked by the assize; as they terminated in a clause to the heirs-general of the Countess, giving nothing to the husband, but a right of liferent, and could not be transferred by any royal charter into a right of property in the husband, and his natural son, with a clause to return to the crown. The reasons of reduction were also in themselves captious, and grounded in mistakes in fact as well as law.

The earldom of Marr being now in the crown, was bestowed on John, third son of King James II., who accordingly had the title of Earl of Marr. He added superior stature, to youth, beauty, and elegance of person; his gentle manners won every heart; nor did he yield to his brother, Albany, in the favourite exercises of the nobility, or in his attention to the breed of war horses; and in hunting, hawking, and every knightly pastime, his skill and grace were admired. Being obnoxious to the favourites of King James III., the Earl of Marr was, in 1479, seized by his Majesty's command and confined in the castle of Craigmiller. Instead of an open trial by his peers, he encountered a private condemnation by the King's domestic council, and being brought from Craigmiller to the Canongate of Edinburgh, a vein was opened, and he bled to death; an easy mode of extinction, preferred by the philosophy of Seneca, and the luxury of Petronius.

Marr.

Pinkerton, I. 290.

Cochrane, one of the favourites of King James III., had the earldom of Marr bestowed on him; it is probable that only the revenues of the earldom were assigned to him, without the title, which, however, his flatterers, or his own vanity might use. He was executed by the indignant nobles, at Lauder Bridge, in July 1482.

Ib. I. 304.

The earldom of Marr was conferred on Alexander Stewart, third son of King James III., who had a charter to him, and the heirs male of his body, of all and whole the lands and earldoms of Marr and Garviach, with the castle of Kildrummy, 2d March 1485-6. The period of his death is not known. Alexander, Lord Home, had the custody of him, 1488; and an act of parliament, 15th February 1489, contains a provision for the Duke of Ross and Earl of Marr.

Mag. Sig. L. xi. No. 53.

James Stewart, Prior of St Andrews, had a charter from his sister, Queen Mary, of the earldom of Marr, 7th February 1561-2, containing this clause, ac similiter facimus et creamus dictum Jacobum fratrem nostrum, et hæredes suos masculos, comites, omnibus temporibus futuris de Marr vocandos, ac dando eis honorem locum et votum in parliamento. But he soon dropped that title, and assumed that of Moray, which earldom had been bestowed on him by his sister, 30th January 1561-2.

Suth. Add. Case, v. 101.

At last the earldom of Marr was restored to the rightful proprietor, John, Lord

Marr.

Erskine, after the family had been kept out of it for 130 years. Having obtained leave from the crown to have the question respecting the succession to that earldom retried, he shewed, that the reasons of reduction, already recited, on which James II. had obtained the verdict, 1457, were utterly erroneous. As to the 1st, That it was new in law to plead that a claimant might not prove his propinquity to remote ancestors, by writings as well as witnesses; that if this was ruled for law, the sovereign, from the lapse of time, and the defect of living testimonies, might arrogate to himself half of the earldoms in Scotland, as well as that of Marr. As to the 2d, That the statute, 1438, might exclude the claimant from possession during the minority of the King, but could not prevent the assize from taking trial of the propinquity, or set aside the verdict when returned. As to the 3d, The answer was obvious, that Alexander Stewart had no more than a right of liferent in him by the charters 9th December 1404, and 21st January 1404-5, that he could resign no more, and that the crown could grant no more upon his resignation. As to the 4th, That it was grounded on an error in fact; for that Isabel de Marr, the wife of Robert I. was not the daughter, but the sister of Earl Gratney; and consequently was removed a degree farther back than Elyne the daughter of Earl Gratney.

Suth. Add. Case, v. 51.

Marr.

These reasons were so simple, and so conclusive, that, on the 5th May 1555, the inquest found John, Lord Erskine, to be the nearest heir of Robert, Earl of Marr and Garioch, who was the nearest heir of Isabel, Countess of Marr, and of Gratney, Earl of Marr, her great-grandfather. Queen Mary at length made reparation to the family of Erskine, for the shameful oppression which it had endured from her forefathers. She restored John, Lord Erskine, and granted to him a charter of the earldom of Marr, to him, his heirs, and assignees, dated 23d June 1565, proceeding on the narrative that Isabel, Countess of Marr, had granted that earldom to Alexander Stewart, her husband, and to the heirs to be procreated betwixt them; which failing, to Isabel's heirs whatever; that Isabel died without issue, and that John, Lord Erskine, was retoured nearest heir to Robert therein, and was undoubted heir of Isabel. Sasine was taken, 25th July same year; and the charter was ratified by parliament, 19th April 1567.

Rec. Parl. 752.

ERSKINE, EARL OF MARR.

It is said, that, in the reign of Malcolm II., a Scotsman having killed with his own hand Enrique, a Danish general, at the battle of Murthill, cut off his head, and, with the bloody dagger in his hand, shewed it to the King, in the Gaelic, Eris Skyne, alluding to the head and dagger, and, in the same language, also said, I intend to perform greater actions than what I have done; whereupon Malcolm imposed on him the sirname of Erskine, and assigned for his armorial bearing a hand holding a dagger, with Je pense plus for a motto; still the crest and motto of this noble family.

It is most probable, however, that they took their name from the barony of Erskine, on the Clyde, the property of the family for many ages.

I. Henricus de Erskine, was proprietor of that barony in the reign of Alexander II.; and, in 1226, witnessed a donation of Amelic, brother of Maldwin, Earl of Lenuox, of the patronage of the church

Chartul. of Paisley. D.

Marr.

of Roseneath, and the tythes thereto belonging, to the monastery of Paisley. His son,

II. Sir JOHN ERSKINE of Erskine, granted a charter of some lands in Renfrewshire, Roberto dicto Boyd, in the end of the reign of Alexander II. Johannes de Erskine, miles, witnessed a charter of Alexander III., 1252; and another charter of a donation to the monastery of Paisley, by Walter, Earl of Menteth, of the church of Colmonell, 1262. He had two sons,

Prynne's Collections. D. Chartul. of Paisley. D.

1. *John.*

2. *William* de Erskine, who obtained from his father some lands in Ayrshire, confirmed to him by James, high-steward of Scotland, the superior.

Book of Original Writs, penes Macf. D.

Rymer, III. 697. D.

III. JOHN ERSKINE of Erskine, the eldest son, submitted to Edward I. of England, 1296, and left a son,

Book of Original Writs, penes Macfarlane. D.

IV. Sir JOHN ERSKINE of Erskine, who obtained a grant of some lands in the tenement of Largs, in Ayrshire, confirmed by James, high-steward of Scotland, Joanni de Erskine, filio Joannis de Erskine, filii et hæredis Joannis de Erskine, militis, to which Robert, Bishop of Glasgow, Sir Reginald de Crawford, Sir John Erskine, his father, and several others, are witnesses. His uncle, William, is mentioned in the charter, which has no date, but granted before 1309, in which year James, the high steward, died. He had issue,

Sir *William.*

1. *Mary*, married, first, to Sir Thomas Bruce, brother of King Robert I., who was taken prisoner by the English and put to death; secondly, to Sir Ingram Morvile.

2. *Alice*, married to Walter, high-steward of Scotland, and had a daughter, Jean, married to Hugh, Earl of Ross.

3. *Agnes*, married to Sir William Livingston of Livingston.

Crawf. Peer. 298.

V. Sir WILLIAM ERSKINE of Erskine, the only son, succeeded his father, was in the expedition to England under Randolph and Douglas, 1327, and was knighted under the royal banner. He died 1329, leaving five sons,

1. Sir *Robert.*

2. *Adam* Erskine of Barrowchan. Among the missing charters of King David II. is one to Adam Erskine of Barrowchan, of the forfeiture of John Strivelyn in general.

Marr. Robertson's Index, 45.

3. Sir *Alan* Erskine, who had charters of the barony of Inchture, in Perthshire, resigned by John de Inchture, and of Crambeth, in Fife, resigned by Alexander de Crambeth, 2d October 1364; also of the office of the crownarship of Fife and Fethryf, from King David II. He had a charter of the lands in the territory of Inchmartin, which belonged to John Lyon, chamberlain of Scotland, from King Robert II., 24th October 1379, and married Isabel, daughter of Sir Patrick Inchmartin of Inchmartin, by whom he had two daughters, Isabel, and Margaret, married to Sir John Glen, knight, and had a daughter, Margaret, married to Sir Patrick Ogilvy, ancestor of the Earl of Findlater.

Reg. Mag. Sig. 41, 113. Robertson's Index, 50.

4. *Andrew* Erskine, who obtained from King David II. a grant of his Majesty's lands of Raplach, near Stirling, in 1361.

Reg. Mag. Sig. 22.

5. Sir *Archibald.*

VI. Sir ROBERT ERSKINE of Erskine, the eldest son, succeeded his father. He joined the high-steward, and other friends of King David II., in opposition to the Baliol party. He was appointed great-chamberlain of Scotland, 1350; and was one of the commissioners to treat of the release of King David II., 1348, 1351, 1352, and 1354; and at a parliament held at Perth, 17th January 1356-7, he was, along with the Bishops of St Andrews and Brechin, nominated plenipotentiary to treat with England, not only for the ransom of the King, but also for a truce betwixt the two nations. This was successfully brought about, and Thomas, son of Sir Robert Erskine, was one of the hostages granted for the ransom. In 1358, he was appointed ambassador to Charles the Dauphin, regent of France; and ratified the alliance with that kingdom, at Paris, 29th June 1359. He was five times sent on public business to England, between 1360 and 1366, in which last year, two of his sons, Thomas and Alan, went with him. He gave up the chamberlain's place on going to France, 1358; was appointed great justiciary of

Crawf. Off. St. 287 to 298.

Dalr. Ann. II. 264.

Ib. 270.

Crawf. Off. St.

Marr.

Robertson's Index, 62, 74.

Scotland, beyond the Forth, 1360; and a second time constituted great-chamberlain, 1363. He was one of the commissioners in the convention at Muirhouselaw, 1367; and warden of the marches that year. He had charters from King David II. of the lands of Kinnoul, on the resignation of Isabel Fyfe, heir to Duncan, sometime Earl of Fife; of the King's lands of Malerbe, in Perthshire, 25th August 1362; of the lands of Adametoun, in Ayrshire, from Thomas, Earl of Angus; of Kirkintillache, in Ayrshire; Quilt, in Perthshire; Erskine, in Renfrewshire; to him and Christian Keith, his wife, of the lands of Walaystoun and Elgereth, from Thomas Moray

Crawf. Off. St. 291.

of Bothwell; and one, wherein he is stiled by King David II. dilectus confederatus noster, to him and his said wife, of the lordship of Alloway, Gaberston, and the Isle and Park of Clackmannan, in excambion for the lands of Strathgartney. He had also a grant from the King, for his life, of the keeping of the castle of Stirling, and office of sheriff of the same, with the power of appointing a deputy, a constable, and janitor, and an allowance of 14

Robertson's Index, 87.

chalders of wheat, and 12 chalders of oatmeal, out of the lands of Bothkennar, with 200 marks sterling, annually, for the support of the castle, &c. 16th April 1369. He had the offices of keeper of the castle of Edinburgh and Dunbarton. On the death of David, King Robert II. came to the throne

Wyntoun, II. 204.

Specialy throw the grete helpyng
Of gud Schir Roberte of Erskyne,
That Edinbrugh, Dunbertane, and Strevelyn,
Hade in his keeping than all thre;
Worthy, wys, and lele was he.

He assisted at the coronation of King Robert II., and did homage to him at Scone, in March 1371, his seal being appended to the act of settlement of the crown of Scotland. From that monarch he obtained a

Robertson's Index, 94.

charter of L.20 sterling of annual rent out of the barony of Cadyou, in excambion for the lands of Bondington, and an annualrent out of the lands of Westhall, in the barony of Ratho. After that he had a

Crawf. Off. St. 297.

grant of the third part of the revenue accruing to the crown out of the customs of Dundee, together with a third part of the lands of Pitcarrach. He gave to the convent of Arbroath, 11th December 1361, an annualrent, on condition that he and Beatrix, his wife, should be admitted and received into all the privileges of the brotherhood; and he gave, in pure alms, to the monastery of Cambuskenneth, the patronage of the church of Kinnoul, with the lands of Fintillach, in Strathern, for the health of him and Christian Keith, his wife, while they lived, and the welfare of their souls after their death. He *died* in the end of the year 1385. He married, first, Beatrix Lindsay, of the house of Crawford; secondly, Christian, daughter of Sir John Menteth, relict of Sir Edward Keith; and had issue by the former only,

Marr.

1. Sir *Thomas*.

2. Sir *Nichol*, who had a charter of the barony of Kynnoule, in Perthshire, on the resignation of Sir Robert Erskine, his father, and Christian Keith, the wife of the said Robert, 18th January 1365-6. He was ancestor of the Erskines of Kinnoul. This branch terminated in an heiress, married in the reign of King James II. to Sir Robert Crichton of Sanquhar.

Reg. Mag. Sig. 80.

3. *Alan*.

1. *Muriela*, or *Mariota*, married to Sir Maurice Drummond of Concraig, steward of Strathern.

2. *Elisabeth*, married to Sir Walter Oliphant of Aberdalgy.

VII. Sir THOMAS ERSKINE of Erskine, the eldest son, was one of the hostages for the ransom of King David II., 1357. He had a charter to "Thomas de Erskyne, "knight," and Johanna de Barclay, his wife, of the lands of Cultrehone and Tulchgorme, in Stirlingshire, 16th April 1368. He had also a charter of the barony of Dun, in Forfarshire, on his father's resignation, 8th November 1376. The English having made a predatory excursion into the Frith of Forth, 1384, and burnt Inchcolm, were encountered by Sir Thomas Erskine, and his brother, Sir Nichol, and routed, with the loss of many men killed, taken, and drowned, near North Queensferry. The same year he was ambassador to England to treat for a prolongation of the truce with that country; and he was again in the same capacity, 1392, in the reign of Robert III., from whom he had

Ib. 64, 129.

Fordun, II. 399.

Rymer, VII. 788. D.

Marr.

Robertson's Index, 145, 147.

charters of the barony of Alloa, and forest of Clackmannan, with an entail and regality; and of the lands of Ellem, in the earldom of March, forfeited by the Earl of March. He died about 1419.

He married, first, Johanna Barclay, by whom it does not appear he had issue; secondly, Janet Keith, only child of Sir Edward Keith, marischal of Scotland, by his wife, Christian, daughter of Sir John Menteth, Lord of Arran, Strathgartney, and Knapdale, by Lady Elyne Marr, daughter of Gratney, eleventh Earl of Marr. By her he had issue,

1. Sir *Robert.*

2. *John*, who, on his father's resignation, obtained the barony of Dun, in Forfarshire, of which he had a charter in 1392-3. He was ancestor of the respectable family of Erskine of Dun, and of Sir Thomas Erskine of Brechin, secretary of state to James V., from whom the Erskines of Pittodrie descended.

Ibid. 158.

1. *Elisabeth*, married to Duncan Wemyss of Leuchars, who got with her the lands of Pirchock and Ludcairn.

2. *Christian*, married to Sir John Haldane of Gleneagles.

VIII. Sir Robert Erskine of Erskine, the eldest son, was taken at the battle of Homildon, 1402, being designed Robert Erskine of Alway. He was one of the commissioners appointed to treat for the release of King James I., 1421, and one of the hostages for his ransom, 1424, when the annual revenue of "Robert, Lord of Erskine," was estimated at 1000 marks. He was set at liberty, 19th June 1425; and, on the death of Alexander, Earl of Marr, in 1435, claimed that earldom, and assumed the title of Earl of Marr, as already mentioned. He died 1453, having married a daughter of Robert, Lord Lorn and Innermeath, by whom he had a son,

Fordun, II. 435.

Rymer, X. 307, 446. Pinkerton, I. Crawf. Peer. 300.

Thomas;—and two daughters,

1. *Jonet*, for whose marriage with Walter Stewart of Levenax, a dispensation was granted in May 1421, permitting them to marry, notwithstanding their being within the third degree of consanguinity. This Walter Stewart of Levenax, was the second son of Murdac, Duke of Albany, and was executed, 24th May 1425, the day before his father and grandfather.

A. Stuart, 451.

2. *Elisabeth*, married to Sir Henry Douglas of Lochleven.

Marr.

IX. Thomas, first Lord Erskine, properly second Earl of Marr of the name of Erskine, succeeded his father 1453; was dispossessed of the earldom of Marr, in 1457, by the assize of error, as already mentioned, and had a charter to Thomas, Lord Erskine, of the lands of Dalnotter, in Lennox, 5th January 1458-9. He was employed in negotiations of state that year; was one of the guarantees of a treaty with the English; sat in parliament, as Lord Erskine, 14th October 1467; and took the part of James III. against his subjects, 1488, notwithstanding the King had taken from him the custody of the castle of Stirling. He was dead before 6th December 1494, when Alexander, Lord Erskine, the son and heir of the deceased Thomas, Lord Erskine, appears in a civil suit in parliament. He married Lady Douglas, daughter of James, Earl of Morton, grand-daughter of King James I., by whom he had a son,

Rymer, XI. 403. D.

Mag. Sig. L. v. No. 37.

Rec. Parl. 149.

Ib. 440.

Alexander;—and three daughters,

1. *Elisabeth*, married to Sir Alexander Seton of Touch.

2. *Mary*, married to Sir William Livingston of Kilsyth.

3. *Muriela*, married to William, second Earl Marischal.

X. Alexander, second Lord Erskine, properly third Earl of Marr of the name of Erskine, was in great favour with King James IV., having been entrusted with the keeping of his Majesty in his youth; was sworn a privy-councillor, and appointed governor of Dunbarton Castle. He had charters, to Alexander Erskine, son and heir apparent of Thomas, Lord Erskine, of the lands of Balhaghirdy, in Aberdeenshire, 26th August 1485; of the same lands, and those of Dalnotter, in Dunbartonshire, to him and Helen Home, his wife, 23d July 1489; of the barony of Alway, with the forest of Clackmannan, lands of Nisbet and Dawglass, in Roxburghshire; Collinhufe and Tulchgorme, in Stirlingshire; Pittarrow, in Forfarshire; and Balmacalye and Newton, in Kincardineshire, to him, on his father's resignation, 12th August

Mag. Sig. L. xi. No. 43. L. xii. No. 82, 83.

Marr.

1489. Succeeding his father, he founded a chaplainry in the church of Alloa, for the welfare of the souls of King James III., and Christian Crichton, his deceased spouse; and for the health and prosperity of King James IV., himself, and Helen Home, his then wife; confirmed by charter under the great seal, 21st October 1497. Alexander, Lord Erskine, had charters of the barony of Alway, &c. 22d February 1502; of Berns, Bernhills, and Auldlands, in Renfrewshire, 18th April 1506; of Auchinlewsky, in Strathern, 29th January 1506-7; and he died before 17th June 1510.

Mag. Sig. L. xiii. No. 248, 462. L. xiv. No. 238, 350.

He married, first, Christian, daughter of Sir Robert Crichton of Sanquhar. They occur in the records of parliament, 9th October 1466; secondly, Helen, eldest daughter of Alexander, first Lord Home, relict of Sir Adam Hepburn of Hales, and had issue only by the former,

Rec. Parl. 141.

1. *Robert.*
2. *Alexander.*
3. *Walter* Erskine of Over Donottars.

1. *Christian,* married to Sir David Stewart of Rosyth.

2. *Agnes,* married to Sir William Menteth of Carse.

XI. ROBERT, third Lord ERSKINE, properly fourth Earl of Marr of the name of Erskine, had charters to "Robert Erskine, "son and heir apparent of Alexander, Lord "Erskine," and Elisabeth Campbell, his wife, of Auchlanesky, in Strathern, 1st August 1496, and 10th April 1497; to him of the office of sheriff of Stirlingshire, 26th February 1506-7; of Quhitslaw and Dalgleish, in Selkirkshire, 10th March 1507-8. Succeeding his father, he had a charter to "Robert, Lord Erskine," of the lands of Cambusbarron, in Stirlingshire, from Alexander Laing of Dunkenny, in exchange for Newton, in the barony of Balmakelly, in Kincardineshire, 17th June 1510; and a charter to him and Isobel Campbell, his wife, of the lands of Petdynnas, in Fife, 8th June 1510, from Jonet Lichtoun, Lady of Quhitefield and Petdynnas. He fell at the battle of Flodden, 9th September 1513.

L. xiii. No. 218, 319. L. xiv. No. 319, 492. L. xvi. No. 48.

He married Isobel, eldest daughter of Sir George Campbell of Loudoun, by whom he had issue,

1. *Robert,* died before his father, unmarried.

Marr.

2. *John.*

3. *James,* who had a charter to him and Catherine Stirling, his wife, of the King's lands of Little Sawchy, wherein he is designed brother-german of John, Lord Erskine, 7th June 1541; (he had a charter of the same to himself, 3d May 1528;) they had two sons, James Erskine of Balgony, ancestor of that branch, and William Erskine, Bishop of Glasgow, who was knighted by King VI., and left a daughter, Janet, married to William, Earl of Stirling.

Crawf. Peer. 301. Mag. Sig. L. xxii. No. 101. L. xxviii. No. 107.

4. *Alexander,* parson of Monnybreck.

5. *William.*

1. *Catherine,* married to Alexander, second Lord Elphinston, and had issue.

2. *Margaret,* married, first, to John Haldane of Gleneagles; secondly, to George Home of Lundies and Argaty.

3. *Elisabeth,* married to Sir James Forrester of Torwood.

4. *Janet,* married to John Murray of Touchadam.

XII. JOHN, fourth Lord ERSKINE, properly fifth Earl of Marr of the name of Erskine, was, in 1515, sent ambassador to France by the estates of the kingdom, to endeavour to get Scotland included in their treaty with the English. Immediately upon his return, he was entrusted with the keeping of the young King, James V., and appointed governor of Stirling Castle, where his Majesty resided; and he acquitted himself so much to the satisfaction of the monarch, that he was high in the royal favour ever after. He was one of the guarantees of a treaty with the English, 1517; had a charter, 15th May 1525, constituting him and his heirs captain and constable of the castle of Stirling, with the keeping of his Majesty's parks and wards of the same, and all lands, fees, and privileges, customs, duties, &c. as freely as he or any of his ancestors had them heretofore. He was sent ambassador to France, 1535, to treat of a marriage for King James V.; which treaty was concluded 1536. He was constituted one of the extraordinary lords of session, 15th February 1539; and, on the death of the King, at which he was present, was, with the Earl of Montrose, di-

Hailes's Catal.

Marr.

rected to remain continually with the Queen, in the castle of Stirling, for the sure keeping of her person. By act of parliament, 25th April 1545, Lord Erskine and Lord Livingston, were constituted keepers of the Queen's person; and Lord Erskine, by order of the estates, carried her, in 1548, to France, after having discharged his duty, with the greatest fidelity and prudence, in that high and difficult trust. He had the office of keeper of the castle of Edinburgh; and died in 1552, leaving considerable estates*.

Rec. Parl. 672, 689.

He married Lady Margaret Campbell, eldest daughter of Archibald, second Earl of Argyll, by whom he had issue,

1. *Robert*, Master of Erskine, who married Lady Margaret Graham, eldest daughter of William, second Earl of Montrose. They had a charter, on his father's resignation, of the barony of Kelly, in Aberdeenshire, 20th May 1536; and he had a charter of the King's lands of Scheirgartane, &c. 23d February 1541-2. Among the prisoners taken at Solway, 1543, was Master Harskyne, heyre apparente to the Larde Harskyne, which larde is of 100 marks landes by the yeere. He was ransomed for L.200. He was killed at the battle of Pinkie, 10th September 1547, without legitimate issue. By Mrs Jean Home he had a natural son, David Erskine, commendator of Dryburgh, ancestor of the Erskines of Sheefield. A charter was granted to David Erskine, commendator of Dryburgh, of the lands of Easter and Wester Kirkpatricks, Moreislaw, and Auchinlosken, in Dunbartonshire, 26th February 1580-1.

Mag. Sig. L. xxv. No. 323. L. xxviii. No. 317.

Lodge, I. 38.

Rymer, XIV. 796. D.

Mag. Sig. L. xxxv. No. 344.

2. *Thomas*, Master of Erskine, ambassador to England, who died before his father, 1551. He married Margaret, third daughter of Malcolm, Lord Fleming, great chamberlain of Scotland, relict of Robert, Master of Montrose; but by her, who took to her third husband, John, fourth Earl of Atholl, high chancellor of Scotland, had no issue. He had a natural son, Adam Erskine, commendator of Cambuskenneth.

Rymer, XV. 255. D.

3. *John*, sixth Earl of Marr.

4. Sir *Alexander* Erskine of Gogar, ancestor of the Earls of Kellie; see that title.

5. Sir *James* Erskine of Tillibody.

1. *Elisabeth*, married to Walter Seton of Touch, and had issue.

2. *Margaret*, mother, by King James V., of James, Earl of Moray, regent of Scotland. She afterwards married Sir Robert Douglas of Lochleven, and had issue. Margaret Erskine, daughter of John, Lord Erskine, had a charter of East Wemyss, &c. 17th December 1554.

Mag. Sig. L. xxxii. No. 209.

XIII. JOHN, fifth Lord ERSKINE, properly sixth Earl of Marr of the name of Erskine, the eldest surviving son, being a younger brother, was intended for the church, and appointed by King James V. commendator of Cambuskenneth and Inchmahome. On his father's death, in 1552, he succeeded to his title, estates, and heritable offices, and to his government of the castle of Edinburgh. During the contentions between the Queen regent and the congregation, 1559, his Lordship, although a protestant, maintained a dignified neutrality; and having been entrusted by parliament with the command of the principal fortress of the kingdom, he resolved that neither party should get it into their hands. On the approach of the English army, in 1560, the Queen Regent committed herself to his Lordship's protection. He still persevered in his neutrality, and, by his integrity, and love of his country, merited equally the esteem of all parties. He received the Queen Regent with the greatest honour and respect, but took care to admit no such retinue as might endanger his command of the castle. When Queen Mary returned from France, 1561, his Lordship was sworn a privy-councillor, and obtained from her several grants of church lands. He then renewed the claim of his family to the caridom of Marr, and obtain-

Robertson, I. 210, 221.

Marr.

* He had charters of Auchlancsky, in Strathern, 28th May 1523; of the barony of Tullibody, and lands of Banchry, in the county of Clackmannan, 11th September 1529; of Balmechenath, Haltoun, and Smethyhill, in the shire of Kincardine, 16th Feb. 1531-2; of a house in Stirling, 24th March 1538; of Balmakelly and Haltoun, in Kincardineshire, 18th February 1538-9; of Gogar, in Perthshire, 4th March 1538-9; of Stoneleky, in Dunbartonshire, 5th October 1547; of the barony of Brechin and Navar, from Thomas Erskine of Brechin, in excambion for Balhagardy, in Aberdeenshire, 20th March 1550-1. Mag. Sig. L. xxi. No. 99. L. xxiii. No. 73. L. xxxiv. No. 164. L. xxvi. No. 297. L. xxviii. No. 1, 6, 439. L. xix. No. 125, 553.

Marr.

ed permission to have the cause reheard; and his right being clearly and distinctly proved, he was restored, per modum justitiæ, to the earldom of Marr, lordship of Garioch, &c. He had a charter to John, Lord Erskine, his heirs and assigns, of the earldom of Marr, 23d June 1565, took his seat in parliament accordingly as Earl of Marr; and he and his successors have always protested that they ought to be called first on the roll of Earls, as possessing the most antient earldom in the kingdom.

Mag. Sig. L. xxxii. No. 501.

Queen Mary and King Henry granted a charter, 18th July 1566, to John, Earl of Marr, narrating, that the family of Erskine, of long time, had the custody of the principal forts in the kingdom, and had always discharged their trust faithfully and stoutly; and their Majesties being desirous to keep noble, antient, and untainted families in their lands, rights, and possessions, and to make them secure of the same; and particularly considering that the Earl and his predecessors had long been keepers of the castle of Stirling, and sheriffs of the county thereof, therefore, they gave and granted, heritably and irredeemably, to the said Earl and his heirs, bearing the arms and name of Erskine, the office of sheriff of Stirlingshire, and the prefecture, or captainship, and custody of the castle of Stirling, with the park, garden, &c.; together with the office of bailiary and chamberlainry of the lands and lordship of Stirling, and of the water of Forth.

In Arch. Fam. de Marr. D.

On the birth of King James VI., in June 1566, Queen Mary committed him to the custody of the Earl of Marr, then in the castle of Edinburgh. The Queen, wishing to put the castle under the power of Bothwell, in order to prevail on the Earl of Marr to surrender it, consented to put the person of the young Prince into his hands to be removed to Stirling; and the Earl of Marr accordingly gave up that fortress, 19th March 1566-7, when he received a discharge from the Queen and council, for himself, and as successor of his father, and their deputies and servants, of their intromission with the said castle, ratified by parliament, 16th April 1567. Bothwell now employed all his address, as well as authority, to force the Earl of Marr to give up the young prince; but in vain, affording no slight proof of the firmness and dexterity of that nobleman, that he preserved a life of so much importance to the nation from being in the power of a man whom fear or ambition might have prompted to violent attempts against it.

Robertson, II. 57.

Rec. Parl. 752.

Marr.

When the Regent Lennox was surprized and killed at Stirling, 3d September 1571, the Earl of Marr sallied out of the castle, and, by the timely assistance he brought, prevented the whole of the King's party from being cut off or made prisoners. He was chosen regent in room of Lennox, 6th September 1571, by a majority of the parliament, owing his preferment to his moderation, his humanity, and his disinterestedness. As soon as he was in possession of that high office, he applied himself vigorously to allay, as far as possible, the heats of the contending factions in Scotland, and to free his country from the influence of English councils. He accommodated matters with Kirkaldy of Grange and the Queen's party, who were in possession of the castle of Edinburgh, and persuaded them to join with him to bring about peace; so that scarcely any thing remained except the formality of signing a treaty. But Morton and his associates thwarted his views. The selfishness and ambition which reigned among his party, made a deep impression on the regent, who wished for peace with much ardour. This inward grief broke his spirit, and, by degrees, brought on a settled melancholy, that ended in a distemper of which he died, 29th October 1572. He was, perhaps, the only person in the kingdom who could have enjoyed the office of regent without envy, and have left it without loss of reputation. Notwithstanding their mutual animosities, both parties acknowledged his views to be honourable, and his integrity to be uncorrupted.

Robertson, II. 192, 207.

He married Annabella, daughter of Sir William Murray of Tullibardine *, and by her had a son,

* Annabella Murray, the future spouse of John, Lord Erskine, and daughter of William Murray of Tullibardine, knight, had a charter of part of the lordship of Erskine, 29th January 1556-7. John, Lord Erskine, and Annabella Murray, his wife, had

Marr.

John, seventh Earl of Marr;—and a daughter,

Lady *Mary*, married to Archibald, eighth Earl of Angus, without issue.

Crawf. Off. St. 402.

XIV. JOHN, seventh Earl of MARR, born about 1558; was bred up with King James VI. by George Buchanan, under the eyes of the Countess of Marr, his mother, and Sir Alexander Erskine of Gogar, his uncle. The Regent Morton having insinuated to him that his uncle had formed a plot to deprive him of the government of Stirling Castle, and the custody of the King's person, the Earl of Marr repaired suddenly to Stirling, 26th April 1578; and being admitted into the castle as usual, turned out his uncle, and became master of the King's person, and of the fortress. He joined the Ruthven conspirators in seizing the King's person, 1582*; and, in 1584, along with the Earl of Angus and Lord Glammis, took possession of the castle of Stirling, declaring they rose in arms for no other reason than to remove from the King's presence his unworthy minion, Arran. They were soon obliged to fly to England, and the Earl of Marr was attainted in parliament, 22d August 1584. Repairing to Scotland with the other banished lords, at the head of a great force, in November 1585, they succeeded in driving away Arran; and in the parliament, in December 1585, the Earl of Marr was restored to his honours and estates, and to the command of Stirling Castle.

In 1595, the King entrusted the keeping of Prince Henry to the Earl of Marr, by warrant under his hand, of this tenor: Because, in the surety of my son consisteth my surety, I have concredited to you the charge of his keeping, upon the trust I have of your honesty; this I command you, out of my own mouth, being in the company of those I like, otherwise for any charge or necessity that can come from me, you shall not deliver him. And in case God call me at any time, see that neither for the Queen, nor estates, their pleasure, you deliver him till he be eighteen years of age, and that he command you himself. This from your assured friend James, R. Stirling, 24th July 1595. The Earl of Marr was ambassador to England, 1601, and there entered into negotiations for securing the succession of James to the English throne on the death of Elisabeth.

The Earl of Marr accompanied the King to England in 1603; but was obliged to return before he came the length of York, to appease Queen Anne, who had demanded her daughter, Princess Elisabeth, and her son, Prince Charles, whom the Earl had left under the care of his Countess, with the express command not to deliver them to any person whatever, without an order under his hand. This, it is said, the Queen never forgave. He now set out again for England, was sworn a privy-councillor there, and installed a knight of the Garter, 27th July 1603. He got an exoneration from the King for his care of Prince Henry, 28th June 1603; and obtained grants of several abbeys and church lands, then dissolved from the crown. He also had a grant of the manor of Charlton, in Kent, 1604. He continued several years at court, high in the favour of the King, who trusted to and confided much in him with regard to the management of foreign affairs; and, on the 17th of December 1615, delivered to him the white staff, appointing him high-treasurer of Scotland, which he held till April 1630. The revenue was so well managed by him, that, at the King's coming to Scotland, 1617, the court was entertained with the greatest magnificence out of the treasury.

The Earl of Marr had a charter, on his own resignation, of the earldom of Marr, lordships of Strathdon, Strathdee, Garioch, Alloa, &c. the heritable offices of captain of the castle of Stirling, and sheriff of the

charters of the castle of Erskine, of Dalnotter, and of Auchlansky, 8th April 1559; and of the lordship of Erskine, 7th February 1562-3. Annabella Murray, spouse of John, Earl of Marr, had charters of the Parkhill of Stirling, 16th April 1582, de rupe lie hough et brae de Parkhill de Stirling, &c. 29th August 1588; of Bredun, in Forfarshire, to her, in liferent, and to Maria Erskine, their daughter, in warrandice of Grange, in Clackmannanshire, 29th July 1591. Mag. Sig. L. xxxi. No. 398, 466. L. xxxii. No. 387. L. xxxiii. No. 30. L. xxxv. No. 526. L. xxxvii. No. 177.

* A remission was granted under the great seal, 29th November 1583, to John, Earl of Marr, and twenty-two others, pro detentione Regis apud Ruthven. Mag. Sig. L. xxxv. No. 872.

Marr.

shire thereof, chamberlainry of the lordship of Stirling, Menteth, Brechin, and Navar, bailiary and admiralty of the water of Forth, to him and his heirs, containing a clause of novodamus, and erecting the whole into the earldom of Marr, 3d February 1620*.

His Lordship died at Stirling, 14th December 1634, æta. 77, and was buried at Alloa, 7th April 1635. He married, first, Anne, second daughter of David, second Lord Drummond, by whom he had a son,

John, eighth Earl of Marr.

Secondly, Lady Mary Stewart, second daughter of Esme, Duke of Lennox; they had a charter of the barony of Fintrie and Buchlyvie, in Stirlingshire, 29th May 1593; their children were,

Mag. Sig. L. xxxix. No. 168.

1. *James*, Earl of Buchan; already treated of under that title.

2. Hon. *Henry* Erskine, to whom his father assigned the peerage of Cardross, ancestor of the modern Earls of Buchan; see that title.

3. Hon. Sir *Alexander* Erskine, a colonel, who was blown up at Dunglass with his brother-in-law, the Earl of Haddington, 1640. He had a letter of provision to Alexander Erskine, son of John, Earl of Marr, of the abbacy of Cambuskenneth, 31st May 1608.

L. xlv. No. 195.

4. Hon. Sir *Charles* Erskine of Alva, knight, who died at Edinburgh, 8th July 1663, and was buried at Alva. He married, in 1638, Mary, born 13th June 1620, third daughter of Sir Thomas Hope of Craighall, baronet, by whom he had issue; 1. Mary, born 21st November 1639; married, in 1676, to William Hamilton of Wishaw. 2. Thomas, born 7th May 1641,

Lamont's Annals, MS.

Edin. Reg.

* Charters were granted to John, Earl of Marr, of the barony of Colintoun, 25th January 1597-8; of Kerse, in Stirlingshire, 26th May 1609; of the lands of Carnwath, Lintoun, Inglisberrygrange, &c. 2d August 1603; of the office of constabulary and justiciary within the city and burgh of Brechin, 20th May 1613; of the lands of Over Raploch and Priestisacres, 3d April 1615; of an annualrent out of the earldom of Buchan, 22d March 1617; of Blairforth and Wester Shawling, 12th June 1618; of Halzairdis, &c. in the shire of Edinburgh, to him and Mary Stewart, his wife, 26th August 1619; of Ryflatt, 2d December 1619; of the lordship of Erskine, 20th November 1620; and of the barony of Gargunnock, 22d June 1624. Mag. Sig. passim.

who died without issue, as, on 3d April 1672, Sir Charles Erskine of Alva, *knight baronet*, was served heir Thomæ Erskine, filii primogeniti Domini Caroli Erskine de Cambuskenneth, militis, inter eum et Dominam Mariam Hope, ejus conjugem, procreati, fratris germani natu senioris, in the barony of Cambuskenneth, in the counties of Clackmannan, Fife, and Perth. 3. John, born 5th July 1642, died without issue. 4. Sir Charles Erskine of Alva, baronet. 5. James, born 26th March 1645. 6. David, born 8th September 1646. 7. Elisabeth, born 8th August 1648. Sir Charles Erskine of Alva, the eldest son, born 4th July 1643, was served heir in general of his father, Sir Charles Erskine of Alva, knight, 15th July 1665, and was created a baronet 30th April 1666. He married Christian, daughter of Sir James Dundas of Arnistoun, knight, and by her had issue: 1. Sir James Erskine of Alva, baronet, killed at the battle of Landen, 23d July 1693, unmarried. 2. Sir John Erskine of Alva. 3. Charles Erskine, or, as he usually spelt his name, Areskine, of Tinwald, in Dumfries-shire, born 1680, who became a member of the Faculty of Advocates, 1711; was elected Member of Parliament for the county of Dumfries, 1722; appointed solicitor-general for Scotland, 1725; rechosen for the county of Dumfries, 1727, and 1734; when he was also chosen for the boroughs of Dumfries, &c. and made his election for the former. He was appointed King's Advocate for Scotland, 1737; elected Member of Parliament for the boroughs of Kirkwall, &c. 1741; and vacated his seat on being constituted a lord of session, 29th November 1742, when he took the stile of Lord Tinwald. He was appointed lord justice-clerk for life, in 1748; purchased his paternal estate of Alva, and died 5th April 1763. He married, first, 21st December 1712, Grizel Grierson, heiress of Barjarg, in the county of Dumfries, and by her, besides ten children who died young, had two sons and three daughters: Christian, born 20th December 1715, married, 4th February 1733, to Sir Robert Laurie of Maxweltoun, baronet, and was mother of Sir Robert Laurie of Maxweltoun, a lieutenant-general in the army, colonel of the 8th regiment of

Marr. Inq. Ret. xxxi. 158.

Edin. Reg.

Inq. Ret. xxviii. 72.

Marr. dragoons; Member of Parliament for the county of Dumfries from 1774 till his death in 1804, father of Sir Robert Laurie, now of Maxweltoun, baronet, captain in the royal navy. Charles Erskine, Esq. born 23d October 1716, counsellor at law, elected member of parliament for the boroughs of Ayr, &c. 1747, and died, unmarried, at London, in 1749. James Erskine of Barjarg. Jean, born 15th April 1726, married, 21st December 1746, to William Kirkpatrick of Shaws, and was mother of Charles Sharpe of Hoddam. Susanna, born 20th September 1727, married, 26th March 1749, to Robert Campbell of Finab and Monzie, Member of Parliament for the county of Argyll from 1766 till his appointment to the office of receiver-general of the customs, 1772, and was mother of General Alexander Campbell of Monzie, M. P. Lord Justice-Clerk Tinwald married, secondly, 26th August 1753, Elisabeth, daughter of William Harestanes of Craigs, in the stewartry of Kirkcudbright, relict of William Maxwell of Preston, mother of Mary, Countess of Sutherland, and Willielma, Viscountess Glenorchy; but by her, who died on the 24th of October 1806, in her 90th year, had no issue. His only surviving son, James Erskine of Barjarg, was born 20th June 1722, admitted a member of the Faculty of Advocates, 1743; appointed sheriff-depute of the county of Perth on the abolition of the heritable jurisdictions 1747; one of the barons of the court of exchequer, 27th May 1754; and a lord of session, 8th June 1761, when he assumed the stile of Lord Barjarg, afterwards changed to Alva. He died, the senior judge in Britain, 15th May 1796, æta. 74. He married, first, 11th June 1749, Margaret, daughter, and coheiress with her sister, the Countess of Glencairn, of Hugh Macguire of Drumdon, in Ayrshire; and by her, who died in April 1766, æta. 37, had four children: Jean, married to —— Carr, Esq.; Isabella, married to Patrick Tytler, Esq. brother of Lord Woodhouselee; Charles, born 23d June 1751, died September 1760, æta. 10; and John Erskine, Esq. born 30th December 1758, admitted a member of the Faculty of Advocates, 1781; appointed clerk of the commissary court, 1790, and died 16th January 1793, æta 34, leaving by his wife Christian, eldest daughter of John Carruthers of Holmains, to whom he was married 23d August 1786, three children: James Erskine of Cambus, born 20th August 1787, admitted a member of the Faculty of Advocates, 1808, married to a daughter of Patrick Tytler Esq.; John; and Charlotte. Lord Alva married, secondly, Jean, daughter of Stirling of Herbertshire, relict of Sir John Stirling of Glorat, baronet, without issue. 4. Doctor Robert Erskine, physician to the Russian Emperor. Daughter, Helen, married to John Haldane of Gleneagles; two of her children are entered in the register of Edinburgh, John, born 22d December 1693, and Anna, born 26th February 1695. Marr.

Sir John Erskine, or Areskine, of Alva, baronet, the second son, was served heir in special of his brother Sir James Areskine, in the barony of Alva, 1st May 1694, and in general, cum beneficio inventarii, of Sir Charles Arskine of Alva his father, 24th February 1696. He was admitted a member of the Faculty of Advocates, 1700, was a member of the Scotish parliament, and supported the treaty of union. He was one of the Members of the first Parliament of Great Britain, elected by the Scotish parliament in February 1707, and was chosen for the county of Clackmannan in 1713. He died, of the effects of a fall from his horse, in the Isle of Man, 12th March 1739, æta. 67. He married the Hon. Catherine St Clair, born 14th January 1685, second daughter of Henry, Lord Sinclair, by whom he had two sons: 1. Sir Charles Erskine of Alva, baronet, major of the royal Scots regiment of foot, killed in battle at Hulst, 16th May 1747, leaving by his wife Henrietta, daughter of Colonel Fraser of Dunballoch, one daughter, Christian, born 30th August 1743. 2. Sir Henry Erskine, baronet, deputy quarter-master-general, with the rank of lieutenant-colonel, of the forces under the command of his uncle the Hon. General St Clair, on the expedition to Port L'Orient, where he was wounded, 21st September 1746, and was left, with other officers and soldiers in the same predicament, at the post of Guadel, which being attacked by the French, 23d September, the hospital staff, with the sick

Inq. Ret. xliv. 13. xlvi. 106. Edin. Reg.

Marr.

and wounded, took arms and repulsed the enemy. He was chosen Member of Parliament for the boroughs of Ayr, &c. on the death of his cousin Charles Erskine, 1749; elected for Anstruther, 1754; re-chosen, 1761; succeeded his uncle, the Hon. General St Clair, in the command of the royal Scots 1762, and died at York in his way to London, 9th August 1765, being then a lieutenant-general in the army. He married, in 1761, Janet, daughter of Peter Wedderburn of Chesterhall, sister of Alexander, Earl of Rosslyn, high chancellor of Great Britain; and by her, who died in June 1767, had one daughter, Mary Henrietta Erskine, who, by royal sign manual of 18th April 1801, is to have place, pre-eminence, and precedency as the daughter of an Earl of the united kingdom of Great Britain and Ireland; and two sons: 1. Sir James Erskine, baronet, who, succeeding to his cousin, Colonel Paterson St Clair, in the estates of Dysart and Roslin in 1789, assumed the name and arms of St Clair. He was chosen Member of Parliament for Castle-rising, 1781; for Morpeth, 1784; appointed director of the chancery in Scotland, 1785; rechosen for Morpeth, 1790; and for Dysart, &c. 1796; rechosen, 1802; and, on the death of his uncle Alexander, Earl of Rosslyn, 2d January 1805, became second Earl of Rosslyn; ranks as lieutenant-general in the army; is colonel of the ninth regiment of dragoons, a lieutenant-general on the North British staff, and an experienced officer of high military reputation. His Lordship married Harriet, eldest daughter of the Hon. Edmund Bouverie, Member of Parliament, brother of the Earl of Radnor, and has issue. 2. John Erskine, counsellor at law, filazer to the Court of Common Pleas, and commissary-general of the British forces in Portugal.

5. Hon. Sir *John* Erskine, who married Margaret Inglis, heiress of Otterstoun in Fife; their son, Sir John Erskine of Mertoun, was served heir of his mother in half of the lands of Otterstoun, 6th August 1678.

Inq. Ret. cxxiii. 465.

6. Hon. Sir *Arthur* Erskine of Scotscraig; his son, John, was served heir of him 5th October 1652.

cxi. 82.

7. Hon. *William* Erskine, cupbearer to King Charles II., appointed master of the Charter-house, London, 29th December 1677, and held that office till his death, 29th May 1685.

Marr.

1. Lady *Mary*, married, first, to William, sixth Earl Marischal, and had issue; secondly, to Patrick, first Earl of Panmure, without issue.

2. Lady *Anne*, married to John, sixth Earl of Rothes, and was mother of the Duke of Rothes.

3. Lady *Margaret*, married to John, second Earl of Kinghorn, without surviving issue.

4. Lady *Catherine*, married to Thomas, second Earl of Haddington, and had issue.

XV. JOHN, eighth Earl of MARR, the eldest son, a man of learning, and a great projector, was invested with the order of the Bath at the creation of Henry, Prince of Wales, 30th May 1610; sworn a privy-councillor in Scotland; appointed governor of the castle of Edinburgh, 1615; and constituted one of the extraordinary lords of session, 1st February 1620, and sat till 1626. He was re-appointed, 18th June 1628, and sat till 1630. Succeeding his father in 1634, he was served heir of him, in the earldom of Marr, heritable offices, &c. 25th March 1635. The castle of Edinburgh was taken out of his hands 1688, and General Ruthven appointed governor, as an experienced soldier for the warfare then expected, the Earl getting security for L. 8000. The Earl of Marr agreed to sell to the King the heritable sheriffship of Stirlingshire, and the bailiary of the water of Forth, for L. 8000 Sterling, by minute of 15th February 1638; and he accordingly resigned these offices, and got a bond for the money, 4th November 1641. He was, by Parliament, appointed a privy-councillor for life, 1641; but joined the association in favour of the King at Cumbernauld that year. His estate was sequestrated for his loyalty; he sold many lands in Scotland, and purchased an estate in Ireland, which he lost by the Irish rebellion; and he died in 1654.

Halles' Catal.

Inq. Ret. xii. 307.

In Arch. Fam. de Marr. D.

His Lordship married Lady Christian Hay, second daughter of Francis, ninth Earl of Errol, and by her had issue,

1. *John*, ninth Earl of Marr.

2. Hon. Sir *Francis* Erskine, who died without issue.

Marr.

3. Hon. *William* Erskine, died without issue.

1. Lady *Elisabeth*, married to Archibald, second Lord Napier, and had issue.

2. Lady *Mary*, died unmarried.

XVI. JOHN, ninth Earl of MARR, the eldest son, had a charter of the earldom of Marr, in the lifetime of his father. He commanded the Stirlingshire regiment in the Scotish army that marched to England, 1640, but joined the association at Cumbernauld in favour of the King, 1641, and continued a steady royalist ever after. He came to Montrose's army after the battle of Kilsyth, 1645, was at the rout at Philiphaugh, 13th September that year, and escaped with Montrose to Marr, where he raised forces for the King's service. For this he was fined by parliament 24,000 marks, and soldiers were quartered on his estates. He succeeded his father, 1654, and had several fines imposed on him, though his whole estate was sequestrated, and continued under sequestration till the restoration, during which time he lived in a cottage at the gate of his house of Alloa. He died in September 1668; having married, first, Lady Mary Scott, eldest daughter of Walter, first Earl of Buccleuch, without surviving issue; secondly, Lady Mary Mackenzie, eldest daughter of George, second Earl of Seaforth, by whom he had five children,

Guthrie's Memoirs.

Minutes of Parliament. D.

Lamont's Annals, MS.

1. *Charles*, tenth Earl of Marr.

2. Hon. *George* Erskine, died young.

1. Lady *Barbara*, married, 7th September 1670, to James, second Marquis of Douglas.

2. Lady *Jean*, married 5th August 1673, to John, eleventh Earl of Glencairn.

3. Lady *Sophia*, married to Alexander, third Lord Forbes of Pitsligo. All had issue.

XVII. CHARLES, tenth Earl of MARR, born 19th October 1650, succeeded his father, and raised the regiment of foot known by the name of the royal Scots fuzileers (the 21st), of which he was constituted colonel, 23d September 1679, and held that command till July 1686. He was sworn a privy-councillor to King Charles II., 1682, also to King James VII.; but disapproving of his measures, left his house to go abroad, when the intelligence of the landing of the Prince of Orange arrived. He appeared in the convention of estates, but joining the disaffected party, was arrested in March 1689, and dying on the 23d of April following, in his 39th year, was buried at Alloa, where is a monument to his memory. The heavy debts contracted by his father and grandfather, in the time of the civil wars, obliged him to dispose of great part of his landed property, particularly the barony of Erskine in Renfrewshire, the original possession of the family. He married Lady Mary Maule, eldest daughter of George, second Earl of Panmure; and by her, who took to her second husband Colonel James Erskine, son of Sir Charles Erskine of Alva, had eight sons and a daughter. Of the sons, two named Charles, two named Francis, and one named George, died young; the others were,

Marr.

Monteith's Theater of Mortality, II. 232.

1. *John*, eleventh Earl of Marr.

2. Hon. *James* Erskine of Grange.

3. Hon. *Henry* Erskine, born 11th September 1682, lieutenant-colonel in Lord Mark Kerr's regiment, killed at the battle of Almanza, 1707, æta. 25, unmarried.

Daughter, Lady *Jean*, married at Twickenham, 21st February 1712, to Sir Hugh Paterson of Bannockburn, in the county of Stirling, Bart. M. P., and died at Bannockburn, 16th November 1763; her husband was forfeited for having engaged in the rebellion, 1715, by act of parliament 1. Geo. I. c. 43, and died at Touch, 23d March 1777, aged 91 years and two months. They had a son, Hugh, married to Elisabeth Seton, heiress of Touch, without issue; and a daughter, married to David Rollo of Powhouse, and had two daughters, Mary, married to George Hoome Stewart of Argaty, without surviving issue, and David, married to Alexander Wallace, Esq. banker in Edinburgh, and one son, Hugh James Paterson Rollo, married to Helen, daughter of Robert Arbuthnott, Esq., and had several children, of whom three survive, Hugh James Rollo, W. S., Robert Rollo, advocate, and Charlotte, married to Henry Moncrieffe, Esq. W. S.

Lysons.

XVIII. JOHN, eleventh Earl of MARR of the name of Erskine, the eldest son, succeeded his father, 1689, in an estate ex-

Marr.

tremely involved, but which, by good management, he in a great measure retrieved. His Lordship took the oaths and his seat in parliament, 8th September 1696, protesting against the calling of any earl before him in the roll. He was sworn a privy-councillor, April 1697; had the command of a regiment of foot, and was invested with the order of the Thistle. In the parliament 1705, his Lordship moved for an act for the treaty of union, and was constituted one of the commissioners for that purpose. His Lordship was appointed, in 1706, one of the secretaries of state of Scotland, in room of the Marquis of Annandale, removed; supported the treaty of union in the last parliament of Scotland; and, to make up his loss of the office of secretary, thereby suppressed, was appointed keeper of the signet; a pension was also allotted to him. His Lordship was chosen one of the sixteen representatives of the peerage of Scotland, by parliament, 13th February 1707, and rechosen at the general election 1708, 1710, and 1713. He was sworn a privy-councillor in England. 1708, and appointed one of the secretaries of state for Great Britain, 1713. On the death of Queen Anne, his Lordship signed the proclamation of King George I., and was sincerely disposed to acquiesce in the succession of the house of Hanover, expressing, in his confidential letters to his brother Lord Grange, the utmost solicitude to preserve the tranquillity of Scotland, and he wrote a letter to the King, dated at Whitehall, 30th August 1714, to that effect.

Minutes of Parliament.

Laing, II. 354.

His Lordship procured a loyal address to his Majesty from the Highland clans, drawn up by his brother Lord Grange, which, on the King's arrival at Greenwich, he attended to present. But he was informed that it would not be received, as his Majesty was well assured that it was prepared at St Germains. The King also told his Lordship that he had no further occasion for his services, and ordered him to deliver up the seals. This treatment making his Lordship conclude that his ruin was determined, he no longer scrupled to accede to the terms offered by the agent of the Pretender, from whom he received a commission, appointing him his lieutenant-general, and commander in chief of his forces in Scotland. Embarking at Gravesend, 8th August 1715, with General Hamilton and Colonel Hay, on board a collier, they landed at Newcastle, hired a vessel there, and sailed to Elie in Fife. The Earl of Marr proclaimed the Pretender, whose standard was set up at Braemarr, 6th September 1715, and published a declaration in his name. He marched to Dunkeld, and took possession of Perth, where he established his head-quarters till the clans joined him. He left Perth 10th November, encountered the royal army under the command of the Duke of Argyll, at Dunblane or Sheriffmuir, 13th November 1715; the Earl of Marr behaved bravely, and had his horse shot under him; both sides claimed the victory, but the advantage was clearly in favour of the Duke, as the rebels could not pass the Forth, and were obliged to return to Perth. The Pretender landing at Peterhead, 22d December, the Earl of Marr went to meet him at Fetteresso, and attended him to Perth, into which he made his public entry, 9th January 1716. The rebels employed themselves in fortifying Perth, but soon abandoned it and dispersed; the Pretender and the Earl of Marr embarked at Montrose, 4th February, in a French ship, and landed at Gravelines, 9th February 1716. The Earl of Marr was attainted by act of parliament, and his estate, of L. 1678 per annum, forfeited.

Marr.

St. 1 Geo. I. c. 32.

Following the Pretender to Rome, the Earl of Marr remained in his service for some years; his negotiations with the Earl of Stair, the British ambassador at Paris, for a pardon, are printed in the Hardwicke Collection of State Papers. They were unsuccessful; the Earl of Marr quitted the Pretender, 1721, when he repaired to Paris, from whence he went in 1729, on account of the bad state of his health, to Aix-la-Chapelle, where he died in May 1732.

His only amusement during his exile was to draw plans and designs for the good of his much loved native country; and in one paper, dated 1728, he suggested the improvement of Edinburgh, by building bridges on the north and south sides of the city, also the making of a navigable canal betwixt the Forth and Clyde. The inhabitants on his property contributed considerably to his assistance in his misfortunes.

Marr.

He first introduced the wilderness way of planting into Scotland; the gardens at Alloa, in that stile, were much visited and admired. He had a taste for architecture, and introduced into business in London, the well known Gibbs, who, out of gratitude, left the greatest part of the fortune he had acquired, to the children of the Earl of Marr. The estate of Alloa was sold by the commissioners of forfeited estates to Lord Grange, who conveyed it to his nephew, Lord Erskine, in 1739.

John, Earl of Marr, married, first, at Twickenham, 6th April 1703, Lady Margaret Hay, eldest daughter of Thomas, sixth Earl of Kinnoul, and by her, who was born 30th September 1686, and died 25th April 1707, æta. 21, buried at Alloa, had two sons,

1. *Thomas*, Lord Erskine.

2. Hon. *John* Erskine, died at three months old.

Secondly, at Acton in Middlesex, 20th July 1714, Lady Frances Pierpont, third daughter of Evelyn, first Duke of Kingston, sister of Lady Mary Wortley Montagu, and by her, who died at London, 4th March 1761, aged above 80, had one child,

Lady *Frances*, married in October 1740 to her cousin, James Erskine, Esq. son of Lord Grange.

XIX. THOMAS, Lord ERSKINE, only son of John, Earl of Marr, was deprived of the most antient and honourable titles enjoyed by his ancestors, by his father's attainder. His Lordship was appointed commissary of stores at Gibraltar; was elected Member of Parliament for the county of Stirling, on a vacancy 1747; chosen for the county of Clackmannan at the general election that year; and died at Gayfield, 16th March 1766. His Lordship married, at Hopetoun House, 1st October 1741, Lady Charlotte Hope, born 4th March 1720, eighth daughter of Charles, first Earl of Hopetoun, but had no issue by her, who closed a pious, active, and benevolent career at Edinburgh, 24th November 1788, in her 69th year. His uncle,

XVIII. The Hon. JAMES ERSKINE of Grange, was admitted a member of the Faculty of Advocates, 1705; was constituted a lord of session, 18th March 1707, and held the office of justice-clerk for the three last years of Queen Anne. After sitting on the bench 27 years, he resigned his gown in 1734, that he might be enabled to go into parliament, and join the ranks of opposition against Sir Robert Walpole, expecting the appointment of secretary of state for Scotland. He was chosen Member of Parliament for Stirling, &c. at the general election 1734; took a great share in the debates; held the office of secretary to the Prince of Wales; appeared at the bar of the Court of Session as a pleader, but soon gave up practising there, and died at London on the 24th of January 1754, in his 75th year. He married Rachel Chiesly, sister of Major Chiesly of Dalry, and by her had issue,

Marr.

1. *Charles* Erskine, born 27th August 1709, long an officer in the army, died unmarried, 1774. Edin. Reg.

2. *John*, born 28th March 1711, died young.

3. *James*.

4. *Mary*, born 5th July 1714, married, 21st August 1729, to John, third Earl of Kintore, and died without issue at Edinburgh, 19th February 1772, æta. 58.

5. *Francis*, born 1716, died young.

6. *Jean*, born 5th December 1717, died unmarried.

7. *Rachel*, born 28th January 1719, died unmarried at Edinburgh, 20th June 1793, æta. 75.

8. *John*, born 1720, was a clergyman in Ireland, and Dean of Cork, he died 1796.

XIX. JAMES ERSKINE, the third son, born 1713, was admitted a member of the Faculty of Advocates, 1734; appointed knight marischal of Scotland, 1758, and died at the Abbey Hill, Edinburgh, 27th February 1785, in his 72d year. He married, in October 1740, his cousin-german, Lady Frances Erskine, only daughter of John, Earl of Marr; and by her, who died at London, 20th June 1776, had two sons,

1. *John Francis* Erskine of Marr.

2. *James Francis* Erskine, born 1743, a colonel in the army, who died at Edinburgh, 5th April 1806, æta. 63. He mar-

Marr. ried a Swiss lady, by whom he had three sons, 1. William Gratney Tell Erskine, 2. Francis Tell Erskine, and 3. James Erskine, all in the military service of the East India Company; and a daughter, Rachel Matilda.

XX. JOHN FRANCIS ERSKINE of Marr, the eldest son, born 1741, was an officer of cavalry; he had a lieutenant's commission in the 9th dragoons, 1757; in the 1st horse, 1759; had a troop in that regiment, 1762; and quitted the army, 1770. He succeeded to the estate of Alloa on the death of his mother, 1776, and is well known for his exertions for promoting the prosperity and improvement of his native country. He married, at Upway, in Dorsetshire, 17th March 1770, Frances, only daughter of Charles Floyer, Esq. governor of Madras; and by her, who died at Alloa, 20th December 1798, had issue,

1. *John Thomas.*

2. *James Floyer*, an officer in the army, who died at Cultoquhey 15th May 1798, without issue by his wife, Susan, second daughter of Charles Sharpe of Hoddam, to whom he was married, 12th November 1796. She married, secondly, 8th August 1800, Captain William Walker 28th dragoons, son of William Walker of Erdington-hall in Warwickshire, he died 8th April 1805; thirdly, 16th June 1806, S. F. Perkins of Sutton Coldfield, in Warwickshire, barrister at law.

3. *Henry David*, married, at Pancras church, 22d October 1805, to Miss Mary Ann Cooksey, and had two sons, Henry, who died young; and John Francis. Marr.

4. *Thomas*, a clergyman of the Church of England.

1. *Charlotte Frances.*
2. *Mary Anne.*
3. *Charlotte.*
4. *Jane.*

5. *Augusta*, died at Gayfield, 8th May 1797.

XXI. JOHN THOMAS ERSKINE, younger of Marr, the eldest son, married, at Dalswinton, 17th March 1795, Janet, daughter of Patrick Miller of Dalswinton, in the county of Dumfries, and has issue,

1. *John Francis Miller*, born 28th December 1795.

2. *Jean*, died 5th April 1806.

3. *Frances Jamima.*

ARMS.—Quarterly, 1st and 4th, argent, a pale, sable, for Erskine. 2d and 3d azure, a bend between six cross crosslets fitchée, Or, for the earldom of Marr.

CREST.—A dexter hand, couped above the wrist, holding a dagger erect, proper, the pommel and hilt, Or.

SUPPORTERS.—Two griffins, argent, beaked, winged, and armed, Or.

MOTTO.—*Je pense plus.*

SEAT.—Alloa House, in the county of Clackmannan.

DRUMMOND, EARL OF MELFORT.

Melfort. I. THE Hon. JOHN DRUMMOND, second son of James, third Earl of Perth, was appointed general of the ordnance, and deputy-governor of the castle of Edinburgh, 1680; treasurer-depute in 1682; and one of the principal secretaries of state in September 1684. On the accession of King James VII., 1685, he was Melfort.

continued in that office, and created Viscount of Melfort in Argyllshire (part of the forfeited estate of Argyll,) and Lord Drummond of Gilestoun, 14th April 1685; and, for the better support of that honour, got a grant of the barony of Melfort and estate of Duchal, which was dissolved from the crown by act of parliament. He was created Earl of Melfort, Viscount of Forth, Lord Drummond of Riccartoun, Castlemains, and Gilston, 12th August 1686, the patents of his honours being taken to him, and the heirs male of his body of his second marriage; which failing, to the heirs male whatever of his body; as he was disappointed by the family of Lundin, who were zealous protestants, in his attempt to educate his two sons of the first marriage in the popish faith, to which he had turned. When the order of the Thistle was revived, 1687, the Earl of Melfort was constituted one of the knights companions thereof; continued in the office of secretary till the revolution, when he repaired to King James in France; attended him to Ireland, 1690, and was, by him, created Duke of Melfort and Marquis of Forth, and invested with the order of the Garter. Not returning to Scotland within the time limited by law, he was outlawed by the court of justiciary, 23d July 1694, and attainted, 2d July 1695, by act of parliament; by a clause in which it was provided, that his forfeiture should noways affect or taint the blood of the children procreated betwixt him and Sophia Lundin, his first wife. According to Macky, he was very handsome, and a fine dancer; a well-bred gentleman; very ambitious; with abundance of lively sense; understood the belles lettres; was very proud; not able to bear a rival in business; tall; black and thin, with a stoop in the shoulders. He had the chief administration at St Germains for several years, and died there in January 1714.

He married, first, 30th April 1670, Sophia, daughter and heiress of Margaret Lundin of Lundin, in Fife, by the Hon. Robert Maitland, brother of John, Duke of Lauderdale, and by her had issue, as will be particularly mentioned under the title Earl of Perth; he married, secondly, Eupheme, daughter of Sir Thomas Wallace of Craigie, a lord of session, from 1671, to his death, 1680, and justice-clerk; and by her, who lived to be above 90 years of age, and was supported by keeping one of the two faro tables authorised by Louis XIV., had issue,

1. *John*, stiled Duke of Melfort.

2. *Thomas*, an officer in the service of Charles VI., Emperor of Germany, who died, unmarried, 1715.

3. *William*, abbé-prirol of Liege, who died in Spain, 1742.

4. *Andrew*, a colonel of horse in the French service, married to Magdalene Silvia de St Hermione, lieutenant-general in the French army, by whom he had a son, designed Count de Melfort, a major-general in the same service. He married Jean Elisabeth de la Porte, daughter of Peter John Francis de la Porte, intendant of Dauphiny, by whom he had a son, Lewis Peter Francis Malcolm Drummond of Melfort.

5. *Bernard*, died young at Douay.

6. *Philip*, an officer in the French service, died of wounds received in the wars of Louis XIV.

1. Lady *Henriet*, died, unmarried, 1752.

2. Lady *Mary*, married to Count Castel Blanco, a Spanish nobleman, but died without issue, 1713.

3. Lady *Frances*, married, by dispensation from the Pope, to her brother-in-law, Count Castel Blanco, and died, 1726, leaving a son, who married an heiress in Spain, and two daughters; the eldest married, first, to M. de Campillo, prime minister to Philip V., King of Spain; secondly, to Peter, second son of the Duke of Liria, a grandee of Spain, and grandson of the Marechal Duke of Berwick; the youngest, Lady Margaret, married also a grandee of Spain.

4. Lady *Louisa*, died at Paris, unmarried.

5. Lady *Teresa Margareta*, died unmarried.

II. JOHN DRUMMOND, the eldest son, assumed the title of Duke of Melfort, and died 1752. He married Mary Gabrielle d'Audebert, Countess de Lusanne, widow of Henry Fitzjames, Duke of Albemarle, natural son of King James VII., by whom he had three sons,

Melfort.

1. *Thomas.*

2. *Lewis*, major-general in the French service, colonel of the regiment of royal Scots, who, on the reduction of that corps, got a considerable pension from the court of France.

3. *John*, lieutenant of the guards of the King of Poland, Elector of Saxony, with the rank of major-general.

III. THOMAS, the eldest son, assumed the title of Duke of Melfort, and had a considerable estate in Lower Languedoc. He married Mary de Berenger, by whom he had issue,

1. *James Lewis.*
2. *Charles Edward.*
3. *Henry Benedict*, a priest.
4. *Leon Maurice.*
1. *Mary Cecilia Henrietta.*
2. *Emilia Felicitas.*

Thus far the first edition. The Editor has been unable to obtain intelligence respecting this family further than that, in 1805, a claim was entered to the estate of Perth, by Charles Edward, Duke of Melfort, eldest son in life of Thomas, Duke of Melfort. He stated himself as born 1st January 1752, although his father was not married to Mary de Berenger till 26th July 1755. Leon Maurice Drummond, residing in London, took a protest that he was great grandson and lawful heir of John, Duke of Melfort, and that Charles Edward should account to him. Leon Maurice Drummond married Mary Longuemarre, and had two daughters, Leontina, who died, 1809, æta. 16, and Clementina; and a son, George, born in London, 6th May 1807. This Leon Maurice Drummond, it is understood, was fourth son of Thomas, Duke of Melfort, and proceeded on the ground that he was born after his father's marriage.

Melfort.

GORDON, VISCOUNT OF MELGUM.

Melgum.

LORD JOHN GORDON, second son of George, first Marquis of Huntly, was created Viscount of Melgum, and Lord Aboyne, by King Charles II., 1627, but did not long enjoy the title, as he was burnt to death in the house of Frendraught, in October 1630. It fell out thus: Sir James Crichton of Frendraught having a feud with James Lesly of Pitcaple, whose son was wounded in his company, Pitcaple bearing that Frendraught was on a visit to the Marquis of Huntly, lay in wait for him. The Marquis, to preserve Frendraught, sent home with him, his son, the Viscount of Melgum, and a party of his servants and friends. The Viscount intended returning back the same day; but, being earnestly pressed, consented to stay all night at Frendraught, and was lodged in a tower with his friends and attendants, in chambers one over the other. At midnight, the tower took fire, and the flames were so furious, that the Viscount, John Gordon of Rothemay, and four of their attendants, perished in the flames. According to a contemporary author, the Viscount might have saved himself, if he had not, on the first alarm, run up to awake Rothemay, when the passage took fire, and they could not get down; they went to a window, crying for help, but none being brought, although Frendraught and his lady were looking on, they implored the mercy of God for their sins, clasped each other in their arms, and thus fell victims to the flames. It was alleged the tower was wilfully burnt.

Spalding, I. 9. Gordon's Hist. of Gordons, II. 137.

Melgum.

The Viscount of Melgum married Lady Sophia Hay, fifth daughter of Francis, ninth Earl of Errol. She was a virtuous, worthy, and chaste lady, and died 12th March 1642, leaving one daughter.

Spalding II. 1.

MENTETH, EARL OF MENTETH.

Menteth.

I. MURDOCH, Earl of MENTETH, is mentioned in the chartulary of Dunfermline, in the beginning of the reign of David I. He was succeeded by

II. GILCHRIST, Earl of MENTETH, mentioned in a charter of donation to the monastery of Scone by Malcolm IV., and a witness to several charters of William I. He was succeeded by

Chartul of Scone, D. Dalrymple's Collections.

III. MAURITIUS, Earl of MENTETH, who flourished in the end of the reign of William I., and beginning of the reign of Alexander II. Mauritius, Comes de Menteth, *Vicecomes* de Stirling, witnessed a donation of William Cumyn, Earl of Buchan, to the monastery of Cambuskenneth, confirmed by Alexander II., 1226. He had two daughters, whose christian names are not known.

Ibid. and Chartul. of Cambuskenneth.

IV. The Countess of MENTETH, the eldest daughter, succeeded to the earldom, and married Walter Cumyn, who, in her right, became Earl of Menteth. This marriage took place before 3d February 1231, when, as Earl of Menteth, Walter Cumyn witnessed a charter of Alexander II. to the monks of Balmerinoch. Walter Cumyn, Earl of Menteth, was second son of William, Earl of Buchan, by his first wife. (See Vol. I. p. 161.) He granted, in the reign of Alexander II., a stone of wax, or four shillings, to the monks of Scone, to be received yearly at Michaelmas, de camera mea. He first appeared conspicuously with his father, and other nobles, at the marriage of Joan, Princess of England, with Alexander II. at York, 1221. He obtained from that monarch a grant of the extensive country of Badenach, then in the crown. He acquired it about the time that Gillespoc's rebellion in Moray was crushed by his father, in 1229; it is highly probable that Gillespoc forfeited Badenach upon that occasion, and that the influence of the Earl of Buchan obtained it for his second son. In the chartulary of Moray is a composition which was made before 1230, between Walter Cumyn and Andrew, Bishop of Moray, about the manorial rights of the lordship of Badenach; and another, between the same parties, respecting the same country, dated 1234, in which the Lord of Badenach is designed Walter Cumyn, Earl of Menteth. He swore to maintain the agreement betwixt that monarch and Henry III. at York, in September 1237. On the death of his father, he rose to be the most influential man in Scotland, owing as much to the strength of his talents, as the support of his family, and the number of his vassals in Badenach and Menteth. He displayed his wisdom and authority, at the coronation of Alexander III., 13th July 1249. Some of the Scottish counsellors having objected that the day was unlucky, and that the King, previous to the ceremony, ought to receive the honour of knighthood, the Earl of Menteth overcame the scruples of superstition and chivalry. He represented the hazard of a delay, and proposed that the Bishop of St Andrews, should perform both ceremonies. During the struggles in Alexander's minority, the Earl of Menteth and his party were several times displaced and restored, till they finally prevailed in 1257. He died, an old man, in 1258. It was said, in England, that he was killed by a fall from his horse; it was reported in Scotland that he had been poisoned by his wife. He certainly died without male issue; but it would appear that he had a daughter married to his grand-nephew, William Cumyn. The lordship of Badenach, and his other lands, descended to his nephew, John Cumyn, the son of his elder brother, Richard, as mentioned under the title Lord of Badenach.

Caledonia, I. 565. Suth. Add. Case, v. 13.

Menteth.

Fœdera, I. 376.

The Countess of Menteth, disdaining the addresses of the Scotish nobles, who sought her in marriage, precipitately wedded John Russell, an English knight, in

Suth. Add. Case, v. 13.

Menteth. 1258. The nobles, irritated at the slight, accused her of the murder of her first husband, and imprisoned Sir John Russell and her. Walter Stewart, called Bailloch, or the freckled, brother of Alexander, high steward of Scotland, who appears to have married the younger sister of the Countess of Menteth, laid claim to the earldom, in right of his wife, and, by the favour of parliament, obtained it. The elder Countess, insulted, disgraced, and despoiled of her fortune, retired out of Scotland with her husband. She complained, in 1260, to the court of Rome, that she had been injuriously treated, and her inheritance taken away. Pope Urban IV. sent one Pontius, as his nuncio, to York, in 1262, with special powers to inquire into the violence and injuries complained of. Pontius summoned Walter Stewart, occupier of the earldom of Menteth, as the party, and he summoned the bishops, abbots, and almost all the nobility of Scotland, to give testimony in this singular case. A summons to appear without the limits of Scotland was held to be inconsistent with the privileges of the King and kingdom. Alexander III., professing himself ready to determine the controversy according to the law of Scotland, appealed from Pontius to the Pope; and thus no judgment was pronounced at that time. An attempt was made to revive this controversy in 1273. William, the son of John Cumyn, had married the daughter of the elder Countess of Menteth. John Cumyn, on behalf of his son, renewed the suit against Walter Stewart. The family of Cumyn probably expected that their formidable influence might deter the King from opposing a trial without the limits of Scotland, where their interest was concerned. Nothing, however, could shake the magnanimity of Alexander III., and no more was done at York in 1273 than in 1262. The controversy was ended in the proper court, in a parliament held at Scone 1285. There it was decided, that a division should be made of the earldom, between Walter Stewart and William Cumyn, that the earldom should remain with Walter Stewart, and that half of the lands should be erected into a barony in favour of William Cumyn. This judgment has all the appearance of a compromise. If there was no compromise, the King and parliament gave either too much or too little to one of the contending parties. Menteth.

IV. WALTER STEWART, Earl of MENTETH, was third son of Walter, high steward of Scotland, and married the younger daughter of Maurítius, Earl of Menteth, in whose right he had the title adjudged to him by the Scotish nobles in 1258. Under that title, he confirmed a grant of the church of St Colmonell, in Kintyre, to the abbey of Paisley, 1262, and he was engaged in the battle of Largs, under his brother, the high-steward, 1263. He witnessed the marriage-contract of the Princess Margaret with Eric, King of Norway, 1281, and, with his Countess, accompanied the Princess to Norway, from whence they returned safely. He was one of the nobles who swore to acknowledge Margaret, her daughter, as their sovereign, in the event of the demise of Alexander III., in a parliament held at Scone, 5th February 1283-4, and was one of the assembly at Brigham, in March 1290, where the marriage of Queen Margaret to Prince Edward was agreed on. In the competition for the crown of Scotland, 1292, the Earl of Menteth was one of the nominees on the part of Bruce. Walter, Earl of Menteth, swore fealty to Edward I., 13th June 1292, and was present when Baliol did homage to Edward, 20th November 1292. Walter, Earl of Menteth, was summoned to attend Edward I. into France, 1st September 1294, and appears to have died soon afterwards *.

Fœdera, II. 1062, 266, 471, 555, 558, 591, 645.

Walter, Earl of Menteth, by his Countess, had two sons, who assumed the surname of Menteth, but the family retained the paternal coat of Stewart, altering the fess cheque to a bend, for difference,

Q. Stewart, 208.

1. *Alexander*, sixth Earl of Menteth.

2. Sir *John* Menteth, who submitted to King Edward I., and was released from prison, 9th August 1297, on condition of serving Edward against the French, for the performance of which he gave his oath, being designed John de Meneteth, brother of the Earl of Meneteth. He was, by the

Fœdera, II. 782.

* That he was taken at Dunbar, 28th April, 1296. in his 76th year, and put to death by Edward I., has been disproved by Lord Hailes, Annals, III. 43.

Menteth.

English monarch, appointed keeper of the castle of Dunbarton, and is vindicated by the late learned Lord Hailes, from the charge of betraying Wallace. In two interpolated chapters of Fordun is a long account of Sir John Menteth, who refused to give up the castle of Dunbarton to Robert I., without obtaining a pardon and the earldom of Lennox; but having been taken by stratagem, was thrown into prison, from whence he was released at the instance of the husbands of his fair daughters, who were married to the principal men in the kingdom, just before the battle of Bannockburn, where he behaved himself valiantly on the part of Robert I., notwithstanding King Edward II. had caused the banner of Sir John Menteth to be displayed in the English army. A safe conduct was granted to Sire Thomas Randolf, and Sire Johan de Meneteth, chivalers d'Escoce, to come into England to the presence of Edward II., 23d November 1316. Sir John Menteth had from King Robert I. a charter of the lands of Glenbecriche and Aulisay, in Kintyre, paying a galley of twenty-six oars to the King, was custos comitatus de Menteth in 1320, when, under that designation, he signed the famous letter to the Pope, asserting the independence of Scotland. He was one of the commissioners and conservators of the treaty of Berwick, in June 1323, and died soon afterwards. One of his daughters, Johanna, was married to Malise, Earl of Strathern, as appears from a charter of Robert I., ratifying one which Malise, Earl of Strathern, made to Johanna, daughter of the deceased Sir John Menteth, knight, wife of the said Earl, of the lands of Carcathie. Another daughter was married to Sir Archibald Campbell of Lochow; and a third to Maurice Buchanan of Buchanan, and was mother of Walter Buchanan, who is called nephew of Sir John and Alexander Menteths, in an agreement made with the Drummonds, respecting the assythment for the slaughter of Sir Walter Menteth. Sir John Menteth had three sons, 1. Sir Walter Menteth, to whom Murdac, Earl of Menteth granted a charter of the lands of Thora, in the earldom of Menteth, wherein he is designed son of the deceased Sir John Menteth. He was killed by John and Maurice Drummonds; this slaughter was afterwards compromised by his brothers Sir John and Alexander, by an agreement, wherein the steward of Scotland, Earl of Strathern, and Sir John Menteth, Lord of Arran, are mentioned as quitting any malice they had against John Drummond and Maurice his brother, for the death of Walter, Malcolm, and William Menteths, their kinsmen *. Sir Walter left four sons: Sir Alexander Menteth of Rusky, father of Sir Robert Menteth of Rusky, who married, in 1392, Lady Margaret Lennox, a younger daughter of Duncan, Earl of Lennox, and was father of Murdach Menteth of Rusky, who had a son, Patrick, who died without issue, and two daughters, his heiresses, also heiresses of half of the earldom of Lennox, Agnes, married to Sir John Haldane of Gleneagles, and Elisabeth, married to John Napier of Merchistoun. William. John Menteth, who married Marjory, daughter and heiress of John de Striveling, sheriff of Clackmannan, lord of Carse of Stirling and Alveth, with whom he got these lands and that heritable office; there is a charter from the Abbot of Arbroath to John Menteth, son of Sir Walter de Menteth, knight, of a salt-work in the Carse, 1366. He was ancestor of the Menteths of Carse, which subsisted till the reign of Charles I. James. 2. Sir John Menteth, who had a charter from King Robert I. of the lands of Stragartenay in Perthshire, wherein he is designed son of John Menteth, and another from the same monarch of the lands of Bernes, Ballmakaly, Twenethwany, and Newtoun, in the thanedom of Aberbothnot or Aberlachwich, in the shire of Kincardine. He was lord of Arran and Knapdale, and, under that designation, gave to the abbey of Kilwinning the patronage of the church of St Mary in Arran, for the welfare of his own soul and that of Catherine, his deceased [second, qu.?] wife,

Menteth.

* Among the charters of King Robert II., is one dated 31st March 1372, confirming the grant which Mary, Countess of Menteth, made in her widowhood, to the deceased John de Dromond, of the lands of Rossneth, in the earldom of Lennox, and the grant which the said John afterwards made to Alexander Menteth, knight, of the same lands, Reg. Mag. Sig. 113. It is said these lands were given by Drummond as a compensation for the slaughter of the Menteths. D. Stewart, 210.

Dalr. Ann. I. 310.
Fordun, II. 243.
Fœdera, III. 582.
Robertson's Index, 14.
D. Stewart, 209.
Fordun, II. 275.
Dalr. Ann. II. 122.
Fœdera, III. 1021, 1025.
Robertson's Index, 17.
D. Stewart, 209.
Crawf. Peer. 330.
D. Stewart, 210.
Robertson's Index, 30, 35.
Crawf. Peer. 330.
Robertson's Index, 17, 23, 24.
Reg. Mag. Sig. 34.

Menteth.

by charter, dated at Kilwinning, 12th October 1357, probably when on death-bed, the grant being witnessed Comediuo medico et Thoma de Infirmitorio. He married Lady Elyne Marr, daughter of Gratney, Earl of Marr, by whom he had an only child, Christian Menteth, married, first, to Sir Edward Keith, marischal of Scotland; secondly, to Sir Robert Erskine, chamberlain of Scotland. By the last she had no issue, but by the first had an only child, Janet, married to Sir Thomas Erskine of Erskine, eldest son of Sir Robert's first marriage; and their posterity, in her right, became Earls of Marr. 3. Sir Alexander Menteth, who had a safe conduct into England, 8th July 1357, and obtained a charter from King David II. of the pasturage of 100 cattle and 300 sheep, on his Majesty's moors of Carale in Fife, going out of the lands of Balmonthe, 8th May 1370. Margaret, daughter of Alexander de Menteth, married Sir Roger de Mortuomari (Mortimer), knight, as appears from two charters from him to her of the lands of Foulis and Cuthilmyre, confirmed by King David II., 14th July 1369.

D. Stewart, 209.

Fœdera, VI. 23.

Reg. Mag. Sig. 33, 74.

V. ALEXANDER, sixth Earl of MENTETH, the eldest son, under the designation of Alisandre de Meneteth, was one of the magnates Scotiæ who engaged to support the succession of Margaret of Norway to the throne of Scotland, in the parliament at Scone, 5th February 1283-4. His father, he, and his wife Matilda, in 1285, made donations to the abbey of Cambuskenneth, for a burial-place there. Alexander de Menteth, filius Comitis de Menteth, swore fealty to Edward I. at Norham, 12th June 1292. He appears to have succeeded his father, 1295, Lord Hailes having adduced strong arguments to prove that it was this Earl, and not his aged father, who was one of the leaders of the Scotish army, which invaded Cumberland in March 1296, and who was taken prisoner by the English at the battle of Dunbar, 28th April 1296. From the express evidence of Trivet and of Walsingham, he was not put to death by Edward I., but ordered into confinement, from whence he was released on engaging to serve Edward in his foreign wars. Alexander, Earl of Menteth, swore fealty to Edward, 22d July [1296, qu.?], and he was dead probably before the accession of Robert I., certainly before 1320, when the earldom of Menteth was under the custody of his brother Sir John, during the minority of his heir. He had two sons,

Fœdera, II. 471.

D. Stewart, 208.

Fœdera, II. 558.

Dalr. Ann. III. 42.

1. *Alan*, seventh Earl of Menteth.
2. *Murdoch*, eighth Earl of Menteth [qu.?]

Menteth.

Nisb. Her. App. II. 26.

VI. ALAN, seventh Earl of MENTETH, succeeded his father. He joined King Robert I. when he asserted his title to the throne of Scotland in 1306, was the same year taken by the English, and committed to the custody of John de Hastings in England, where he died, after being forfeited, leaving a son, who died without issue, and a daughter, Mary, Countess of Menteth. Alan, Earl of Menteth, grandfather of Margaret, wife of Robert, *Earl of* Menteth, is mentioned in the indenture executed by Isabel, Countess of Fife, 1371, as having got an entail made to him of the earldom of Fife. See title, Earl of Fife.

Fœdera, II. 1012.

D. Stewart, 208.

Snth. Add. Case, 25.

VII. MURDOCH, eighth Earl of MENTETH, had charters from King Robert I. to "Murdoch Menteth," of the baronies of Barnbougle and Dalmeny, forfeited by Roger Moubray, Gilmerton, in the county of Edinburgh, forfeited by William Soulis, lands forfeited by William Ferrars in Fife, and half of the barony of Rothemay, in Banffshire. The precise degree of his relationship to Alan, Earl of Menteth, is not clear. It would seem that he made an agreement with Mary, daughter of Earl Alan, for the possession of the earldom, in 1330, as that year he gave consanguineæ suæ Mariæ de Menteth filiæ unicæ quondam Alani Comitis de Menteth, the lands of Aberfoil, Drongary, Buchliven, Cumlacht, and Buchapil, and ten marks of the land called Cathleine Mushet. He was killed at the battle of Duplin, in the army of King David II., 12th April 1332, rather at Halidonhill, 19th July 1333. King Edward III., on the 24th of September 1335, issued an order to pay Alicia, Countess of Meneteth, quæ infra regnum nostrum ad fidem nostram moratur, a certain sum, renewed 27th January 1336, and an annuity

Robertson's Index, 11, 16, 19, 20, 21.

D. Stewart, 208.

Fordun, 11. 305.

Dalr. Ann. III. 94, 95.

Fœdera, IV. 669, 686. V. 168.

Menteth.

for life, 20th February 1340. Perhaps she was wife of Murdoch.

VII. MARY, Countess of MENTETH, daughter of Earl Alan, now succeeded to the earldom. She married Sir John Graham, who, in her right, became Earl of Menteth. John de Graham, Earl of Menteth, and Mary his Countess, on the 2d May 1346, resigned the barony of Barnbougle into the hands of David II., who granted a charter thereof, 28th August following, to Sir Bartholomew de Loen, knight, and Philippa de Moubray, his wife. John, Earl of Menteth, was taken at the battle of Durham, 17th October 1346; and having formerly sworn fealty to Edward III., the English monarch determined that he should suffer death. He accordingly issued from Calais, 22d February 1346-7, an order for trying him; and, together with that order, he transmitted to the judges a schedule containing the sentence of condemnation. The Earl of Menteth, in consequence, suffered death as a traitor, leaving, by Mary his Countess, one daughter.

Carta penes Com. de Rosebery.

Dalr. Ann. II. 243.

Menteth.

Fœdera, V. 544.

VIII. MARGARET, Countess of MENTETH, who carried the earldom of Menteth to her husband, Robert Stewart, third son of King Robert II., afterwards Earl of Fife and Duke of Albany, regent of Scotland. Her son, Murdac, Duke of Albany, being forfeited and executed, the earldom vested in the crown, 1425, but was granted, in 1427, to Malise, Earl of Strathern.

GRAHAM, EARL OF MENTETH.

I. MALISE, Earl of MENTETH, was only son of Patrick Graham, Earl of Strathern, by Euphemia, Countess of Strathern, in her own right, only daughter and sole heiress of David, Earl of Strathern, eldest son of the second marriage of King Robert II. He inherited the title of Earl Palatine of Strathern; but King James I. divested him of that earldom, under pretence that it was a male fee, and conferred it on his uncle Walter, Earl of Atholl and Caithness, for his life, by charter dated 22d July 1427. To Malise the King gave the lands of Craynis, &c. which he erected into the earldom of Menteth, to be held in a free earldom by Malise and the heirs male lawfully procreated, or to be procreated of his body; which failing, to return to the crown, 6th September 1427. He, under the designation of Earl of Menteth, went to England, 9th December 1427, as a supplementary hostage, in room of Robert Erskine, and was not released till 17th June 1453, when he was ordered to be liberated out of the castle of Pontefract, Alexander, his son and heir, surrendering himself as a hostage in his stead, and the Earl of Douglas and Lord Hamilton becoming sureties for his return, in the event of Alexander dying or escaping. Malise, Earl of Menteth was dead before 17th May 1491, when Marioun, Countess of Menteth, John of Drummond, her spouse, and John, Lord Drummond, appeared as pursuers in a civil cause, and the deceased Malise, Earl of Menteth, is mentioned; also Alexander, then Earl of Menteth.

Seth. Add. Case, v. 36.

Fœdera, X. 381, XI. 339.

Acta Auditorum, 134. Rec. Parl. 412.

Malise, Earl of Menteth, married, first, Lady Anne Vere, daughter of Henry, Earl of Oxford, by whom he had three sons,

1. *Alexander.*

2. Sir *John* Graham of Kilbride, called Sir John with the bright sword, who had from his father a charter of the lands of Kilbride, 7th April 1464; and another of the lands of Port, Coldon, Monievechie, with the loch of Inchmahomo, and the islands thereof, 8th December 1485. From him descended the Grahams of Gartmore, Grahams, Viscounts of Preston, Grahams of Netherby, Grahams of Norton Conyers, baronets, and other families of that name.

Crawf. Peer. 321.

3. *Walter*, first of the Grahams of Buchquhaple, who had, by his father's grant of 8th December 1485, the lands of Lochton, Glaskalzie, Colyart, &c. He had a charter from his nephew, Alexander, Earl of Menteth, of the lands of Kilbride, in

Ibid.

Mag. Sig. L. xiii. No. 112. L. xviii. No. 8.

Menteth. Strathern, 20th January 1494-5; and another, of several lands in Menteth, the lake of Lochcon, &c. 5th February 1511-2, to him and the heirs male of his body, which failing, to return to the Earl.

II. ALEXANDER, Master of MENTETH, the eldest son, became a hostage in room of his father, 17th June 1453, and was placed in the castle of Pontefract, of which the Earl of Salisbury was constable. He died before his father, leaving a son,

Fœdera, XI. 339.

III. ALEXANDER, second Earl of MENTETH, who was served heir of his grandfather, 6th May 1493, and married Margaret, daughter of Walter Buchanan of Buchanan, and had two sons,

Carta penes D. Montrose. D.

1. *William*, third Earl of Menteth.

2. *Walter*, who had a charter of the lands of Gartur, from the Abbot of Inchmahomo, 1553, ancestor of the Grahams of Gartur, who appear to be heirs male of this family.

IV. WILLIAM, third Earl of MENTETH, the eldest son, in a charter of Walter Buchanan of Buchanan, 1519, is designed his grandson. He died 1537, having married Margaret, daughter of Moubray of Barnbougle, by whom he had issue,

Ibid.

1. *John*, fourth Earl of Menteth.

2. *Robert* Graham of Gartmore, who died without issue.

3. *Gilbert* Graham of Gartmore, whose male line is extinct.

Daughter, Lady *Margaret*, married to Archibald, fourth Earl of Argyll, and had issue.

V. JOHN, fourth Earl of MENTETH, the eldest son, was one of the prisoners taken at the rout of Solway, 1542, and ransomed for 200 marks, 1st July 1543, being designed in Rymer Lord Monkereth. He was killed in a scuffle with the tutor of Appin, in October 1547, having married Marian, eldest daughter of George, fifth Lord Seton; and by her, who married, secondly, John, tenth Earl of Sutherland, had issue,

Fœdera, XV. 727.

MS. Hist. of the Family, by Crawford. D.

1. *William*, fifth Earl of Menteth.

2. *George* Graham, whose son, James Graham, son and heir apparent of George Graham, in Reidnoche, brother-german of the deceased William, Earl of Menteth, had a charter of the King's lands of Easter Rednoche, in Perthshire, 12th June 1598. Marion, grand-daughter and heiress of George, brought that estate to her husband, John Graham of Duchray.

Menteth. Mag. Sig. L. xli. No. 397.

1. Lady *Mary*, married to John Buchanan of Buchanan.

2. Lady *Christian*, married to Sir William Livingston of Kilsyth.

VI. WILLIAM, fifth Earl of MENTETH, the only son, who married Margaret, eldest daughter of Sir James Douglas of Drumlanrig, relict of Edward, Lord Crichton of Sanquhar, while he was under age, as appears from a charter of the earldom of Menteth, granted to Margaret Douglas, Lady Sanquhar, in liferent, by William, Earl of Menteth, with consent of his curators, Peter Cornwall of Ballinhard, and John Graham of Ballindoran, 8th December 1571. By her, who married, thirdly, Wauchope of Niddery, he had a son,

L. xxxii. No. 44.

VII. JOHN, sixth Earl of MENTETH, who was served heir of his father, 29th October 1587; and died in December 1598. He married Mary, third daughter of Sir Colin Campbell of Glenurchy, by whom he had issue,

Inq. Ret. in Pub. Arch.

1. *William*, seventh Earl of Menteth.

2. Hon. Sir *James* Graham, who married Lady Margaret Erskine, second daughter of James, sixth Earl of Buchan, but died without male issue. They had a daughter, Marion, married to Walter Graham of Gartur.

Daughter, Lady *Christian*, married to Sir John Blackader of Tullialan.

VIII. WILLIAM, seventh Earl of MENTETH, born 1589, was served heir of his father, in the earldom of Menteth, 7th August 1610. He was served heir of David, Earl of Strathern, 25th August 1630; had the title of Earl of Strathern allowed him, and was designed Earl of Strathern and Menteth; his retour was set aside, 1633, and he was deprived of these titles; but he was created Earl of Airth, 28th March 1633, with the precedency of Menteth, as already treated of under the title Earl of Airth, to which reference is made.

Ibid.

STEWART, LORD METHVEN.

Methven. Pinkerton, II. 243, 275, 289.

I. HENRY STEWART, second son of Andrew Lord Avandale, appearing at court in 1524, made a deep impression on Margaret of England, Dowager of King James IV., wife of Archibald, Earl of Angus. She conferred on him the offices of high chancellor and treasurer; and, having obtained a divorce from Angus, was married to him in March 1526. Her son, King James V., incensed at Stewart's presumption, the marriage having been private, and the royal consent not requested, sent Lord Erskine, with a body of men, to the castle of Stirling, where Margaret resided with her new husband; and the Queen surrendering him, he was imprisoned for a time. In February 1528, Margaret and her husband having shut themselves up in the castle of Edinburgh, James advanced to besiege that fortress; upon which the Queen instantly gave up the keys, and, on her knees, requested pardon for her husband, who was, however, committed to prison. He was created a peer, by the title of Lord Methven, 17th July 1528, when the King gave, in conjunct fee, to his mother, and Henry Stewart, her husband, brother of Andrew, Lord Avandale, his Majesty's lands of Methven and Balquhidder, then united into a free lordship and barony, to be called the lordship of Methven in all time coming. Charters were granted to Henry, Lord Methven, of the King's lands of Colbrandspath, with the tower, and Bowschele, in Berwickshire, 20th September 1529; to Margaret, Queen Dowager of Scotland, and Henry, Lord Methven, her husband, of the lordship of Methven and Balquhidder, 3d October 1530; of the lands of Ardety, in the barony of Methven, 5th January 1530-1; and to Henry, Lord Methven, of the lands of Gallowayschelis and Moselee, in Selkirkshire, 6th January 1535-6. The inconstant Margaret, quarrelling with Lord Methven, for wasting her revenues, applied for a divorce, which had proceeded so far, that the sentence was written and ready for public pronunciation, when the King, sensible of the ridicule, commanded it to be stopped. Charters were granted to Margaret, Queen Dowager of Scotland, and Henry, Lord Methven, her husband, of the lands of Glengevill, in Perthshire, 8th October 1539; and to Henry, Lord Methven, of Gilgerstoun, in the lordship of Methven, 27th June 1541. The same month he lost his royal consort. Henry, Lord Methven, assented to the marriage of Queen Mary to Prince Edward, 25th August 1543. Charters were granted to Henry, Lord Methven, and Jonet Stewart, his wife, of the lands of Gorthy, 5th June 1545; to him and Jonet Stewart, Mistress of Sutherland, his wife, of the lordship of Methven, 18th February 1547-8; and to him and Lady Janet Stewart, Lady Sutherland, and Henry, his son, of the same lordship, and the lands of Gorthy, &c. 10th October 1551. He died soon afterwards.

Crawf. Off. Sc. 66. Mag. Sig. L. xxii. No. 156. L. xxiii. No. 78. L. xxiv. No. 3, 15. L. xxv. No. 246.

Pinkerton, II. 357.

Methven.

Mag. Sig. L. xxvii. No. 57, 178. L. xxix. No. 232, 347. L. xxx. No. 216, 668, 669.

Fœdera, XV. 4.

His Lordship married, first, in March 1526, Margaret of England, Queen Dowager of Scotland; and by her, who died in June 1541, aged 52, had one child, who died an infant; secondly, Lady Janet Stewart, eldest daughter of John, second Earl of Atholl, widow of Alexander, Master of Sutherland, and of Sir Hugh Kennedy of Girvanmains. She took to her fourth husband Patrick, Lord Ruthven, who granted a charter to her, on account of the marriage, to be contracted betwixt them, of the lordship of Dirleton, &c. for her life, 9th April 1557. She had a charter to Jonet Stewart, Lady Methven, wife of Patrick, Lord Ruthven, of the lands of Strathbran, in Perthshire, 10th March 1557-8. By Lord Methven she had a son,

Mag. Sig. L. xxxi. No. 405. L. xxxii. No. 208.

Henry, second Lord Methven;—and three daughters,

1. *Johanna*, married to Colin, sixth Earl of Argyll, without issue. Her father granted a charter of the lands of Balquhidder, 16th October 1551, to Johanna Stewart, eldest daughter procreated betwixt him and Jonet Stewart, Countess of Suther-

L. xxx. No. 708.

Methven.

land, now his wife, and the heirs of her body, to be procreated betwixt her and Colin Campbell, (afterwards sixth Earl of Argyll,) confirmed by charter under the great seal, 14th October 1557.

2. *Dorothea*, married to William, first Earl of Gowrie, and had issue.

3. *Margaret*, married, first, to Andrew, Master of Ochiltrie; secondly, to Uchtred Macdowall of Garthland, and had issue.

II. HENRY, second Lord METHVEN, the only son, succeeded his father. A charter was granted to Jonet Stewart, Lady Methven, wife of Patrick, Lord Ruthven, in liferent; remainder to Henry Stewart, her son, and the heirs male of his body, of the lordship of Methven and Balthidder, 1st December 1564. He was killed at the siege of the castle of Edinburgh, by a cannon-shot from that garrison, 3d March 1571-2. Walpole, in his Royal and Noble Authors, notices Lord Methven's Tragedie, 1572, written by Lord Semphill. He married Jean, eldest daughter of Patrick, third Lord Ruthven; and by her, who married, secondly, Andrew, fifth Earl of Rothes, had a son,

Mag. Sig. L. xxxii. No. 463.

Methven. Bannatyne's Journal, 329. Park's Walpole, V. 62.

III. HENRY, third Lord METHVEN, who married a daughter of Henry Stewart, son of James Stewart, Earl of Arran, without issue. The lordship of Methven, and barony of Balquhidder were granted to Ludovick, Duke of Lennox, in 1584.

D. Stewart, 122.

MIDDLETON, EARL OF MIDDLETON.

Middleton.

THE surname of Middleton is local, taken from the lands of Middletoun, in the county of Kincardine. Malcolm, the son of Keuneth, got a charter from King William I. confirming a donation of King Duncan, of the lands of Middletoun, and he assumed the name of his property. Humfridus de Middleton, witnessed a charter to Walter de Lundin, in the reign of King Alexander II.; and a charter of donation, by Robert, son of Warnebaldus de Cunninghame, of some lands to the abbacy of Arbroath, in 1285. Humfridus de Middleton, de eodem, in the county of Kincardine, swore fealty to Edward I., 1296, and again, in 1306. William de Middleton, dominus de eodem, had a charter from King James I. of the lands of Innerkany, 1430. Gilbertus de Middleton, de eodem, was, in 1460, one of the inquest concerning some lands belonging to the abbacy of Arbroath. Laurentius de Middleton, is designed dominus de eodem, in an instrument of sasine to Andrew, third Lord Gray, 1481. Gilbertus de Middleton, dominus de eodem, was one of the inquest on the service of Patrick, fourth Lord Gray, 1515, and was high sheriff of the county of Forfar, 1516. John Middleton of Middleton, made an excambion of his lands of Middleton, with David Falconer of Halkerton, for Neyersete de Halkerton, half of the lands of Bent, and mill thereof, and had a charter of the same, 19th January 1539-40. John Middleton of Kilhill, and Isobel Falconer, his wife, had a charter from John Scrimgeour of Dudhope, 15th April 1552, of Davidston, and other lands, in Forfarshire. John Middleton, son of John Middleton of Kilhill, had a charter of Kilhill, Nethersete, and Bent, in the shire of Kincardine, 7th March 1564-5; reserving her terce to Katherine Strathauchin, wife of John. A charter was granted to George Middleton, and Elisabeth Irving, his wife, of the lands of Byrryhill, Sheriffseat, and a salmon-fishing in Don, in Aberdeenshire, confirmed, 2d August 1583, after the death of George. John Middleton, eldest son of John Mid-

Middleton. Crawf. Peer. 333.

Mag. Sig. L. xxvi. No. 358. L. xxxii. No. 347, 368.

L. xxvi. No. 128.

Macfar. Coll. D.

Ibid. I. 185.

Chartul. of Arbroath. D.

Prynne, III. 661.

Fœdera, II. 1015.

Haddington's Coll. D.

Ibid.

Penes D. Gray. Ibid.

Middleton. Mag. Sig. L. xlv. No. 33.

dleton of Killhill, had a charter of the lands of Bent, Upperseat, or Killhill, 20th December 1595. Robert Middleton, brother of John Middleton of Caldhame, had a charter of the lands of Caldhame, in the county of Kincardine, confirmed 7th January 1624.

L. i. No. 62.

Laing, II. 8.

I. JOHN MIDDLETON of Caldhame, was killed, sitting in his chair, by Montrose's soldiers, in 1645. He married Helen, daughter of John Strachan, of the family of Thornton, by whom he had issue,

1. *John.*

2. *Andrew*, who purchased, in 1690, the lands of Balbegno, in the county of Kincardine. He was twice married; by his first wife he had a daughter, Elisabeth, married to Charles Gordon of Auchanachy; by his second he had three sons, Robert; Andrew, who died young; and Charles, who died 1706. Robert Middleton of Balbegno, the eldest son, married, in 1700, before he came of age, a sister of John Ogilvy, Esq. advocate; and died 1710, without issue, leaving his estate of Balbegno to his brother-in-law, Mr Ogilvy.

Session Papers.

II. JOHN MIDDLETON, the eldest son, was a pikeman in Hepburn's regiment, in France. He entered into the service of the parliament of England, in the civil wars, 1642; commanded a troop of horse, and was lieutenant-general under Sir William Waller. Returning into Scotland, he had a command in General Lesly's army, and contributed so much to the defeat of Montrose, at Philiphaugh, 13th September 1645, that the parliament voted him a gift of 25,000 marks. Next year, going north against Montrose, he raised the siege of Inverness, forced that nobleman to retreat with considerable loss, and to enter into a capitulation with him, 22d July 1646, by which an indemnity was granted to his followers, with permission to himself to leave the kingdom. This capitulation was ratified by parliament. When troops were raised for the rescue of Charles I., in 1648, Middleton was constituted lieutenant-general of the horse; the levies being obstructed by an armed and tumultuary concourse of people in the west, Middleton attacked and dispersed them. Marching into England with the Duke of Hamilton, Middleton behaved with the greatest gallantry at the battle of Preston, 17th August 1648, making the best defence possible; but, his horse being shot under him, he was made prisoner, and sent to Newcastle. He escaped out of custody next year, and appeared in the Highlands, 1649, at the head of a body of royalists, who were dispersed by Colonel Strachan, 1650. When Charles II. came to Scotland, Middleton repaired to his Majesty, and commanded the horse in the royal army that marched into England, 1651. At the battle of Worcester, 3d September 1651, the chief resistance was made by Middleton, who charged the enemy so vigorously that he beat them back; but, being severely wounded, he was taken prisoner, and, as soon as he was in a condition to be removed, was sent to the Tower of London. Cromwell was so irritated against him, that he designed to get him tried for his life, as having formerly been in the parliament's army; but he contrived to make his escape. After remaining concealed some time in London, he got over to France, and waited on Charles II. at Paris, with whom he remained till 1653, when he was sent to command the royalists in the Highlands of Scotland. His forces were defeated by Monk, at Lochgeary, 26th July 1654; Middleton made his escape, and, after lurking some months in the country, got over to King Charles, at Cologne, 1655, and remained with his Majesty till the restoration, being excepted from pardon by Cromwell's act of grace and indemnity, 1654.

Middleton.

Guthrie's Memoirs, passim.

Coming home with King Charles II., in 1660, he was created Earl of Middleton, Lord Clermont and Fettercairn, by patent, dated 1st October 1660, to him and his heirs male, bearing the name and arms of Middleton. He was also appointed commander-in-chief of the forces in Scotland, governor of Edinburgh Castle, and commissioner to the parliament of Scotland, which he opened, 1st January 1661, with a splendour to which the nation had long been unaccustomed. The prerogative was restored in its fullest extent, a general act recissory of the parliaments from 1633, was passed, and illegal convocations were

Mag. Sig. L. lx. No. 9.

Laing, II. 8.

Middleton. prohibited. Middleton was appointed one of the extraordinary lords of session, 15th July 1662; and was again commissioner to the parliament that met 8th May 1662, wherein episcopacy was established, the non-conforming clergy ejected from their livings, and an act of indemnity was passed, the most obnoxious persons being fined. Middleton wishing to retain the supreme power, procured the act of balloting, by which twelve of the most considerable royalists, particularly the Earls of Crawford and Lauderdale, were to be incapacitated. This greatly incensed the King; so that, although, on Middleton's return to court, in 1663, his services were magnified by the prelates, and he found powerful intercessors in Clarendon, Archbishop Sheldon, and Monk, Duke of Albemarle, he was disgraced, and deprived of his offices, to the great joy of the nation, as his administration had become odious from his severities, and contemptible from his riotous excesses. But he afterwards received the appointment of governor of Tangier, in Africa, as a kind of decent exile; and he died in that remote quarter, in 1673 *.

His Lordship married, first, Grizel, only daughter of Sir James Durham of Pitkerrow and Luffness; and by her, who died at Cranston, in September 1666, had one son,

Lament's Annals, MS.

Charles, second Earl of Middleton;—and two daughters,

1. Lady *Grizel*, married, at Holyroodhouse, 12th June 1662, to William, fourth Earl of Morton, and died in March 1666.

Ibid.

2. Lady *Helen*, married, at Holyroodhouse, 23d August 1662, to Patrick, Earl of Strathmore, and had issue.

Ibid.

He married, secondly, at St Andrew's, Holborn, in December 1667, Lady Martha Carey, daughter of Henry, Earl of Monmouth, without issue.

Malcolm's Londin. Rediv.

III. Charles, second Earl of Middleton, the only son, was member for Winchelsea in the long parliament, and succeeded his father, 1673. He was bred up at the court of Charles II., by whom he was appointed envoy-extraordinary to the court of Vienna. On his return home, he was Middleton. constituted one of the principal secretaries of state for Scotland, 20th September 1682, and one of the extraordinary lords of session, 15th July 1684. He was sworn a privy-councillor in England, 11th July 1684, and appointed one of the principal secretaries of state there, 25th August following, which office he enjoyed till the revolution, 1688, when he joined King James VII. in France, for which he was outlawed by the court of justiciary, 23d July 1694, and forfeited by act of parliament, 2d July 1695. A contemporary thus expresses himself, concerning the Earl of Middleton. He was against the violent measures of King James, and, for that reason, made no great figure at court, while that prince was upon the throne, yet he continued firm to his Majesty's interest to the last; was proof against all the offers made him by King William; and, after being frequently imprisoned in England, followed King James to France, where he had the chief administration given him. He is one of the politest gentlemen in Europe, hath a great deal of wit, mixed with a sound judgment; of a very clear understanding; of an easy indifferent access; but a careless way of living. When he was in England, he firmly stood in the gap to stop the torrent of some priests, who were driving King James to his ruin; and had so mean an opinion of converts, that he used to say, a new light never came into the house but by a crack in the tiling. Yet this man, who had stood all the temptations of King James's reign, and all the endeavours of that prince to bring him over, to the surprize of all who knew him, declared himself a Roman Catholic, upon the King's death; and, after having said as much as any man against popery, yet hath now the entire management of the court of St Germains. He is a black man, of a middle stature, with a sanguine complexion, and one of the pleasantest companions in the world; towards 60 years old.

Macky's Memoirs, 238.

His Lordship married Lady Catherine Brudenel, daughter of Robert, Earl of Cardigan; and by her, who died at St Germains, 11th March 1743, in her 95th year, had issue,

1. *John*, Lord Clermont.

* A charter of the barony of Old Montrose, was granted to John, Earl of Middleton, 6th May 1668.

Middleton.

2. Hon. *Charles* Middleton.

1. Lady *Elisabeth*, married to Edward Drummond, son of James, Earl of Perth, high-chancellor of Scotland. She had the stile of Duchess of Perth, and died at Paris, in an advanced age, after 1773.

2. Lady *Mary*, married to Sir John Gifford, knight.

3. Lady *Catherine*, married to Michael, Comte de Rothe, lieutenant-general in the French service, and died at Paris, 10th July 1763, aged 78.

IV. JOHN, Lord CLERMONT, the eldest son, and his brother, Charles, were taken at sea by Admiral Byng, coming with French troops to invade Scotland, in 1708, and committed to the Tower of London, from whence they were soon released, and returned to France. No further account of this family has been obtained by the Editor.

Middleton.

ARMS.—Party per fess, Or, and gules, a lion rampant, within a double tressure, flowered and counterflowered with fleurs-de-lis, all counterchanged.

CREST.—A tower, embattled, sable, and on the top of it a lion rampant.

SUPPORTERS.—Two eagles, sable.

MOTTO.—*Fortis in arduis.*

GRAHAM, DUKE OF MONTROSE.

Montrose.

OF this celebrated name, the first person who appears on record is

Caledonia, I. 545.

I. WILLIAM DE GRAHAM, who settled in Scotland under King David I., and obtained from that generous prince, the lands of Abercorn and Dalkeith. He witnessed the charter of David to the monks of Holyroodhouse, 1128, and perambulated the lands given by that prince to the church of Haddington. He witnessed a charter of the same monarch to the priory of Durham, 1139; and another of Prince Henry to the priory of St Andrews. He had two sons,

Robertson's Index, 126.

Dale. Coll: 397.

Chartul. of St Andrews. D.

Caledonia, I. 846.

1. *Peter* de Graham of Dalkeith and Abercorn, who granted to the monks of Newbottle, for the welfare of the soul of King William I., the lands of Balnebuth, on the Esk, in his manor of Dalkeith. He had two sons, Henry and William, as Henry de Graham, and William de Graham, the sons of Peter, witnessed a charter of the mother of King William, the Countess Ada, who died in 1178. Henry, the eldest son, confirmed to the monks of Newbottle, the grant of his father, Peter, to them, and witnessed some of the charters of King William I. Henry was succeeded by his son Henry, who confirmed to the monks of Newbottle, the grants of his grandfather, Peter, and his father, Henry. This second Henry was succeeded by his son, Henry, who was one of the magnates Scotiæ, in the parliament of Scone, 5th February 1283-4, who became bound to acknowledge Margaret of Norway as their sovereign, in the event of the demise of Alexander III. He acquired, by marrying the daughter of Roger Avenel, who died in 1243, the great estate of the Avenels, in Eskdale. His son, Nicholas de Graham, knight, sat in the parliament at Brigham, in 1290; was one of the nominees of Bruce in 1292, and swore fealty to Edward I., 1296, being designed of the county of Linlithgow *. He made a donation to the monks of Melrose, of all his land in the territory of Halsington, wherein he is designed Nicolaus de Graham. To

Montrose.

Fœdera, II. 266.

* Edward I. issued an order, 3d September 1296, to the sheriff of Perth, to release the lands of Margeria, quæ fuit uxor Joannis de Graham. *Fœdera, II.* 727.

Montrose. Book of Original Writs, penes Macf. 29. et Carta penes D. de Montrose. D.

this charter, wherein his lands of Dalkeith are mentioned, his seal is appended, and is still entire, being the plain coat of Graham, without any mark of cadency. He married Mary, one of the heirs of Marjory Muscamp, Countess of Strathern, and died before her, in the reign of Robert I., as appears from a charter of lands in Halsyngton in Berwickshire, which lands Maria, sponsa quondam Nicolai de Graham, militis, et una heredum quondam Marjoriæ de Muscocampo Comitissæ de Strathern resigned. His son, Sir John de Graham of Dalkeith*, had a son, John de Graham,

Robertson's Index.

Reg. Mag. Sig. 21.

as appears from a charter of King David II., 23d March 1361-2, confirming the donation which John de Grahame, son and heir of John de Grahame of Dalkeith, made to John de Graham, son and heir of the deceased Richard de Graham, of the lands of Elyvyston in the county of Edinburgh, tenend. et habend. Agneti de Grahame, sponsæ A—ree de—— propinquiori heredi prædicti quondam Joannis, sicut litera Joannis Grahame, plane proportat et testatur. The last John appears to have had two sisters his heirs, the one married to William

Robertson's Index, 40.

More, who got the barony of Abercorn on the resignation of John Graham; and the other, Margaret, who carried Dalkeith, and the property of the Avenels in Eskdale, to William Douglas of Lugton, progenitor of the Earls of Morton. Thus ended the direct line of the family; there were, however, several cadets of the house of Abercorn, the Grahams of Torbolton, Weilston, and others.

2. *John.*

Chartul. of Newbottle, 8. D.

II. John de Graham, second son of William, witnessed a charter of confirmation of a donation to the monastery of Newbottle, by David de Lindsay, about 1170; and was present in the court of King William I., at Alyth, 1200, when William Cumyn resigned his pretensions to certain lands to the church of Glasgow. His son,

Montrose.

Caledonia, II. 437.

III. William de Graham, witnessed a charter of Alexander de Seton, confirmed by King William I., about 1200. His son,

Chartul. of Dunferml. 16. D.

IV. David de Graham obtained from his cousin Henry, the son of Peter de Graham, the lands of Clifton and Cliftonhall in Mid-Lothian; and from King William I. the lands of Charlton and Barrowfield, near Montrose, and the lordship of Kinnaber, in Forfarshire. He appears to have had four sons,

1. Sir *David.*

2. Sir *Patrick*, who witnessed a charter of King Alexander II. to the monastery of Newbottle, 1248.

Chartul. Newbottle, 180. D.

3. Sir *Thomas*, designed baro et miles, in a confirmation charter of Alexander II. to the monastery of Paisley, witnessed by David, Bishop of St Andrews, who held that see from 1233 to 1253.

Chartul. Paisley, 17. D.

4. *William*, mentioned in two conventions betwixt the prior of St Andrews and Bernard de Fraser, in the reign of Alexander II.

Chartul. St And. 40 and 450. D.

V. Sir David de Graham, the eldest son, had several charters, Domino Davidi Graham, filio Davidis, in the reign of Alexander II., particularly one from Patrick, Earl of Dunbar, of two tofts of Melekston. He had also from the same Earl the lands of Dundaff and Strathcarron, formerly the King's forest, in exchange for Gartonquhar in Galloway; and from Maldwin, Earl of Lennox, the lands of Strathblane and Mugdock. Dominus David de Graham, miles, witnessed a charter of Earl Maldwin, 1238, was one of the guarantees of a treaty with Henry III. of England, 1244, and died not long afterwards, leaving, by Agnes his wife, a son and successor.

Chartul. Kelso, 101, 103, 105. D. Crawf. Peer. 396. Carta penes D. de Montrose. D. Chartul. Levenax, 38. Colstream and Coldingham. D.

Fœdera, I. 428.

VI. Sir David Graham of Dundaff,

* John de Graham of Eskdale, knight, son and heir Domini Nicholai de Graham, confirmed the donations of his predecessors to the monks of Melrose, to which his seal is appended, bearing the same arms as his father's, and made a donation to the same monastery of the church of Westerker, wherein he is designed Lord of Abercorn; to them William de Lamberton, bishop of St Andrews, 1298 to 1328, is a witness. King Robert I. ratified to the monks of Melrose, by charter, 25th December 1316, the grants of the deceased Nicholas de Graham, and John de Graham, knight, son and heir of the said Nicholas, to them. Book of Original Charters, 431, 433, 436, 440. D.

Montrose.

who is mentioned in the chartulary of Dunfermline, 1253. David de Graham was one of the Anti-Anglican party removed from the administration of affairs during the minority of Alexander III., 21st September 1255. He appears to have held the office of sheriff of the county of Berwick, as Dominus David de Graham, vicecomes de Berwick, witnessed a donation of Patrick, Earl of March to the monastery of Coldingham, 1260. He obtained from King Alexander III. charters of his whole lands, and acquired from Malise, Earl of Strathern, the lands of Kincardine in Perthshire; and he died about 1270. By Annabella his wife, daughter of Robert, Earl of Strathern, he had three sons,

Chartul. Dunf. 220, Coldingham, 59. D.

Fœdera, I. 866.

Crawf. Peer. 536.

1. Sir *Patrick*.

2. Sir *John* Graham of Dundaff, who joined Sir William Wallace in June 1298, and fell, gallantly fighting, at the battle of Falkirk, 22d July 1298. His monument at Falkirk bears this inscription:

Dalr. Ann. I. 280, 286.

Mente manuque potens, et Vallæ fidus Achates,
Conditus hic Gramus, bello interfectus ab Anglis.

3. Sir *David*, who was one of the nominees of Baliol in his competition for the crown of Scotland, 5th June 1292, swore fealty to Edward I., 3d August 1292, witnessed Baliol's homage to the English monarch, 20th November 1292, was taken prisoner by Edward I. in 1296, and released 30th July 1297, on condition of serving him in his wars against France, being designed David de Grahame, brother of Patrick. He acquired the lands of Loveth in the county of Inverness, and, in 1298, made a composition with Archibald, Bishop of Moray, about some fishings on the river Farar or Beauly.

Caledonia, I. 548.

Fœdera, II. 555, 572, 591, 776.

VII. Sir Patrick Graham of Kincardine, the eldest son, witnessed a charter of King Alexander III. of the lands of Beath in 1271. Dominus Patricius de Graham, miles, had a confirmation of several lands from Duncan, Earl of Lennox, 1280. He was, in 1281, sent to negotiate the marriage of Alexander, Prince of Scotland, with Margaret, daughter of Guy, Earl of Flanders, which took place next year. He sat in the parliament at Scone, 5th February 1283-4, when the chief men of Scotland became bound to acknowledge Margaret of Norway as their sovereign, in the event of the demise of Alexander III. It appears that, in 1285, Sir Patrick Graham obtained from Alexander III. a confirmation charter of the lands of Kincardine, Cowle, Clune, Foschwallis, Prony, and Barderallis, in Perthshire, free from the feudal casualties of wards, reliefs, and marriages due to the King, the same being specially mentioned in a charter to William, first Earl of Montrose, 3d March 1504-5. Sir Patrick Graham was one of the assembly at Brigham, in 1290, that agreed to the marriage treaty between Queen Margaret and Prince Edward; and was one of the nominees on the part of Baliol in his competition for the throne of Scotland, 1292. Patrick de Graham swore fealty to King Edward I., 12th July 1292, and was present when Baliol did homage to the English monarch, 26th December 1292. He witnessed a donation of some lands near Arthur's Oven by Thomas de Gourlay, to the monastery of Newbottle, 1293. He was summoned to attend Edward I. into France, 1st September 1294. He fell in battle against the English at Dunbar, 28th April 1296, when he maintained his station, and died with honour, lamented and applauded even by his enemies, a goodly knight, all dressed in harness meet. Hemingford says of him, miles strenuus, inter sapientiores regni illius quasi primus, et inter potentiores nobilissimus. He left two sons,

Montrose.

Mag. Sig. L. xiv. No. 121.

Fœdera, II. 558, 569, 594, 596.

Chartul. Newbottle. D.

Fœdera, II. 645

Dalr. Ann. I. 261.

1. Sir *David*.

2. Sir *John*, who made a donation of the patronage of the church of Newlands to the monastery of Dunfermline, 1317.

Chartul. Dunf. D.

Chartul. of Dunferml. and Levenax. D.

VIII. Sir David Graham of Kincardine, the eldest son, was carried prisoner to England by Edward I. in 1296, but released 30th July 1297, on condition of serving him in his foreign wars, being designed David de Graham, son of Patrick, to distinguish him from his uncle. He was one of the persons excepted out of the general conditions of the pacification made by Edward with the Scots, 9th February 1303-4, as it was provided that he should be banished Scotland for six months. He had from King Robert I. several grants, in consideration of his good and faithful service,

Fordun, II. 127.

Fœdera, I. 466, 471, 533.

Fœdera, II. 776. Dalr. Ann. I. 273, 305.

Montrose.

and exchanged his property of Cardross, in Dunbartonshire, with his Majesty, for the lands of Old Montrose in Forfarshire. David de Graham, Joannes de Graham, and Patricius de Graham *, signed the famous letter to the Pope asserting the independency of Scotland, 1320. Sir David de Graham was one of the guarantees of a treaty with the English in 1323, and died not long afterwards, leaving a son,

Crawf. Peer. 337.

Fordun, II. 278.

Fœdera, III. 1025.

IX. Sir David Graham of Old Montrose, who accompanied King David II. in his unfortunate expedition into England, 1346, and was taken prisoner at the battle of Durham, 17th October that year. He was released before 1354, when he was one of the commissioners for negotiating the ransom of the King. David de Graham, dominus de Dundaffe, sat in parliament, 26th September 1357, when the treaty for the release of David II. was approved of, and he was one of the guarantees thereof. Dominus David de Graham, Dominus de Ald Monros, witnessed a charter to the prior and canons of Rostynot, 8th April 1360. Dominus David de Grame, miles, was one of those who took the oaths of homage and fealty to King Robert II. at Scone, 27th March 1371, the day after his coronation; and he witnessed the second act of settlement of the crown of Scotland by the same monarch, 4th April 1373. He had a daughter, married to William, Earl of Ross, and a son,

Dalr. Ann. III. 111. Fœdera, V. 534, 791. VI. 43, 48, 57.

Robertson's Index, 78.

Ibid. App.

X. Sir Patrick Graham, of Dundaff and Kincardine, who was one of the hostages for the ransom of King David II. in 1357, under the designation of Patrik, fitz et heir au Seigneur David de Graham. Patricius de Graham, miles, had a safe conduct into England, 28th February 1361. Patricius de Gramæ, filius et heres, Domini Davidis de Grame, Domini de Dundaf, witnessed a charter of Robert de Erskyn, 18th April 1369. Patrick de Graham, knight, had a charter from Robert, Earl of Fife and Menteth, of part of the lands of Achynross, in the earldom of Levenax, 13th June 1377. Patrick de Graham, banneret, was a commissioner to treat with the English, 30th August 1394, and died before 1404. By his first wife, Matilda, he had a son,

Fœdera, VI. 35, 47, 315.

Robertson's Index, 78, 122, 128.

Sir *William*; and a daughter,

Matilda, married to Sir John Drummond of Concraig.

He married, secondly, Egidia, daughter of Sir John Stewart of Ralston, brother of King Robert II., by whom he had four sons,

1. *Patrick*, Earl of Strathern.
2. *Robert*.
3. *David*.
4. *Alexander*.

Montrose.

Fœdera, VII. 788.

D. Stewart, 54.

XI. Sir William Graham of Kincardine, the eldest son, had a charter of Logyachray in Stirlingshire, from Archibald, Earl of Douglas. William Grame, dominus de Kyencarden, had a safe conduct to come into England, 8th March 1405. William de Grame, chivaler, had another, 30th January 1406, and William de Grame de Kincardy, was a commissioner to treat with the English, 11th December 1406. Dominus Willielmus de Grahame de Kyncardine, miles, witnessed two charters of David, Earl of Crawford, 12th February 1406-7. A charter was granted to Alexander de Gardyne, of the lands of Borowfelde in Forfarshire, quæ fuerunt carissimi consanguinei nostri, Willielmi, Domini de Grame, militis, and which he resigned, by Robert, Duke of Albeny, 28th October 1408. He had also a charter from the Duke, containing an entail of the lands of Auld Montrose and others. William, Dominus de Grame, was commissioner for a truce with England, 23d May 1411, had a safe conduct into England, 15th May 1412, another from thence to Scotland about the release of James I., 16th April 1413; again into England, 1st September 1413, 12th May 1415, and 8th December 1416. He had a charter of the barony of Ballanok in Dumfries-shire, 15th May 1416. A charter was granted, 4th August 1420, Willielmo, Domino de Graham, militi, et Mariotæ Stewart, *sorori* Roberti Ducis Albaniæ, sponsæ dicti Willielmi, and the longest liver of them; remainder to Robert de Graham, his son, Patrick, William, Henry, and Walter, brothers german of Robert.

Robertson's Index, 148.

Fœderi, VIII. 388, 429, 461.

Robertson's Index, 102, 104.

Haddington's Coll. D.

Fœdera, VIII. 686, 734, IX. 5, 43, 244, 418.

Mag. Sig. L. iii. No. 81, 82, 83, 84, 85.

* Patrick Graham, Chivaler d'Escoce, was one of the adherents of Robert Bruce sent prisoners to England, 1306, and he was committed to the custody of the Bishop of Chester. Fœdera, II. 1014.

Montrose.

and the heirs male of their bodies respectively; which failing, to the heirs whatsoever of William, Lord Graham, of the lands of Auld Montrose, Kinnaber, and Charleton, in the county of Forfar, confirmed by King James I., 20th August 1480. A charter was granted, 8th January 1421-2, by Murdac, Duke of Albany, Willielmo, Domino le Graham, and Patrick, son of the deceased Alexander de Graham, formerly son and heir of the said William, remainder to Alexander, second son of Alexander, John de Graham, son of the said William, Robert, son of the said William, by the cousin of the said Duke Mariot Countess of Angus his second wife, Patrick, William, Henry, and Walter, his second, third, fourth, and fifth sons of the said wife, and the heirs male of their bodies respectively, of the barony of Dundaff in Stirlingshire, Kinpunt, Elotstone de Clyfton, and Pontfrayston, in the constabulary of Linlithgow, on the resignation of the said William, Dominus le Graham. Dominus Willielmus le Graham, miles, had a charter from Duncan, Earl of Lennox, of some lands in that earldom, 10th August 1423, to him and Patrick, son of the deceased Alexander de Graham, formerly son and heir of the said Sir William, remainder to Alexander, brother to Patrick, and son of the deceased Alexander, and the heirs male of their bodies, remainder to the heirs male of the body of William.

He married, first, Mariota, daughter of Sir John Oliphant of Aberdalgy [qu.?] by whom he had two sons,

1. *Alexander.*
2. *John.*

He married, secondly, Mary Stewart, second daughter of King Robert III., relict of George, Earl of Angus, and Sir James Kennedy of Dunure; and by her, who took to her fourth husband Sir William Edmonstone of Duntreath, had five sons,

1. Sir *Robert* Graham of Strathcarron, of whom Robert Graham of Fintry is lineal male descendant and representative, ancestor also of the Grahams of Claverhouse Viscounts of Dundee, and the Grahams of Duntroon.

2. *Patrick*, consecrated Bishop of Brechin 1463, translated to the episcopal see of St Andrews 1466. He obtained, in 1471, a bull erecting that see into an archbishoprick, and to this new dignity he added the titles of papal nuncio and of legate a latere. Instead of congratulating their order upon this accession of importance, and the kingdom upon the honour and advantage of a metropolitan see, a spirit of envy seized the Scotish clergy. By an offer of 11,000 marks, the bishops excited James III. to oppose and insult the Archbishop, and, finally, to imprison him in Lochleven Castle, where he died in 1478. He was a man of worth and learning.

Pinkerton, I. 277.

3. *William*, ancestor of the gallant Lieutenant-General Thomas Graham of Balgowan, the hero of Barrosa, the Grahams of Eskbank, and of Garvock.

4. *Henry.*

5. *Walter* Graham, who had a charter, "Waltero Graham, avunculo Patricii Do-"mini le Grahame, militis," of the lands of Walastoun and Ardochmore, in Lennox, from the said Patrick, 6th September 1444. He was ancestor of the Grahams of Knockdolian, and their cadets.

Mag. Sig. L. ii. No. 124.

XII. Alexander Graham, eldest son and heir apparent of Sir William Graham, had a safe conduct to go into England as a hostage for Mordyk Fyf, son of the Regent Duke of Albany, 31st July 1408, being designed Alexander de Graym, filius et hæres Domini de Graym; again, as hostage for Mordac Steward, Magister de Fyffe (the same person), 18th May 1419. He died before his father, leaving two sons,

Fœdera, VIII. 544.

1. *Patrick.*
2. *Alexander.*

XIII. Patrick Graham of Kincardine, the eldest son, succeeded his grandfather, and was one of the supplementary hostages for the ransom of James I., 9th March 1427; he remained in England till 20th June 1432, when he obtained a safe conduct to return home. He was afterwards created a peer. Patricius, Dominus Graham, had a safe conduct to treat with the English, 5th July 1451. Patricius, Dominus le Graham, consanguineus noster prædilectus, was a commissioner to treat with the English, 20th April 1457. A charter was granted, Patricio, Domino le

Ibid. X. 372, 500. XI. 285, 389.

Montrose.

Mag. Sig. L. v. No. 21. Fœdera, XI. 423.

Graham, of the lands of Ballingrochan, in Stirlingshire, united into the barony of Mukdow, 24th October 1458. He was again a commissioner to treat with the English, 13th July 1459, and died in 1465, leaving, by Elisabeth, his wife, a daughter, Catherine, married to Sir Humphry Moray of Ogilvy and Abercairny, and a son,

Dougl. Bar. 101.

Fœdera, XI. 575.

XIV. William, second Lord Graham, who had a safe conduct to go into England, or pass through it to foreign parts, 23d November 1466, under the designation of William, Dominus de Graham, and died in 1472. He married Lady Anne Douglas *, eldest daughter of George, fourth Earl of Angus, and had issue,

Carta in Arch. Fam. de Douglas.

1. *William*, third Lord Graham.

2. *George*, ancestor of the Grahams of Calendar.

1. *Jean*, married to John, second Lord Ogilvy of Airly.

2. *Christian*, married, first, to James Haldane of Gleneagles; secondly, to Sir Thomas Maule of Panmure.

Mag. Sig. L. x. No. 116.

XV. William, third Lord Graham, the eldest son, had a charter to William, Lord Graham, and Annabella Drummond, his wife, of the lands of Cowle, in Perthshire; Kinnaber, Charleton, and Auld Montrose, in Forfarshire, in January 1487-8. He sat in the first parliament of King James IV. 7th October 1488. He had charters of Aberruthven, in Strathern, in excambion for Kinnaber, in Forfarshire, 10th May 1498; of Strathyboyes, and Nether Perny, 16th July 1498; of Abrothven, Strathyfentoun, &c. 20th February 1499-1500; of Inchebrakky, 4th December 1501; and of Pettinclerath, all in the county of Perth, 14th March 1502-3. He had charters, to "William, Earl of Montrose, Lord Graham," of Wardropestoun, in the county of Kincardine, from John Wemyss, de eodem, knight, 14th March 1503-4. The creation of the earldom of Montrose did not, however, take place till 3d March 1504-5, when a charter was granted to William, Earl of Montrose, of the lands of Auld Montross, which lands belonged hereditarily to him by the donation of King Robert I., and the confirmation of King David II., under their great seals, to the predecessors of the said William and their heirs, which were resigned by him, and which we now unite, create, annex, and incorporate, into a free barony and earldom, to be called the barony and earldom of Montrose. Of the same date, William, Earl of Montrose, had charters of Kincardine, Cowle, Clune, Foschwallis, Prony, Barderallis, Kallentarmor, Kallentarbeg, Dalrennyth, Culturennyth, and Buthry, with the castle, in Perthshire, united into the barony of Kincardine, the six first mentioned lands being freed from the wards, reliefs, and marriages, to the crown, as it was clear to the King and council, that King Alexander III., in the 37th year of his reign, had granted a charter confirming these lands to the predecessors of the said Earl, free of these casualties; of the lands of Abrodwen, Inchbrekky, &c. in the same county, united into the barony of Abrodwen; and of Kynnabre, in Forfarshire. A charter was granted to William, Earl of Montrose, and Jonet Edmonston, his wife, of the barony of Abruthven, 17th March 1504-5. William, Earl of Montrose, had charters of Carrecklaw, and the lochs, with the isles of Inchgarroch, and Lochkaderne, in Dunbartonshire, united into the barony of Mukdok, 10th August 1507; of Calentarmore, &c. in the barony of Kincardine, giving him licence to alienate the same to George, his brother, ult. Feb. 1508-9; and he fell at the battle of Flodden, 9th September 1513.

Rec. Parl. 330.

Mag. Sig. L. xiii. No. 314, 315, 441, 460, 583. L. xiv. No 116, 117, 118, 119, 120, 121, 122, 446. L. xv. No. 118.

He married, first, Annabella, daughter of John, Lord Drummond, by whom he had a son,

William, second Earl of Montrose;

Secondly, Janet, daughter of Sir Archibald Edmonstone of Duntreath, by whom he had three daughters,

1. Lady *Margaret*, married, first, to William, Master of Lennox; secondly, to Sir John Somerville of Cambusnethan.

2. Lady *Elisabeth*, married to Walter, grandson of John, first Lord Drummond, and had one son.

* In the cause pursued by Elene, Lady Graham, against Cristian, Lady Graham, anent the exception taken by the said Cristian, against the said Elene, that she should be under sentence of cursing. Acta Auditorum, 34 and 36. 18th May and 12th October 1474.

Montrose.

3. Lady *Nicolas*, married, contract dated 1539, to John Moray of Abercairny.

William, first Earl of Montrose, married, thirdly, Christian Wawane of Segy, daughter of Thomas Wawane of Stevenstoun, relict of Patrick, sixth Lord Halyburton of Dirletoun, by whom he had two sons,

1. *Patrick*, ancestor of the Grahams of Inchbraco, Gorthy, Bucklivie, and other families of that name.

2. *Andrew*, consecrated Bishop of Dunblane in 1575.

Crawf. Peer. 339.

XVI. WILLIAM, second Earl of MONTROSE, the eldest son, was one of the peers to whom the Regent Duke of Albany, when he went to France, committed the charge of the young King, James V. Charters were granted to William, Earl of Montrose, and Janet Keith, his wife, of Auld Montrose, 3d August 1525; to the Earl of Easter and Middle Pannel, in Perthshire, 5th November 1529; of Strathyfentoun, and Pirny, 2d September 1530; to him and Janet, his Countess, of Wardropestoun, 24th April 1538; and to him of the King's lands of Ratreny, in Strathern, 29th May 1542. He was one of the commissioners of regency appointed by King James V., 29th August 1536, to manage the public affairs during his Majesty's absence in France. He was, in 1543, along with Lord Erskine, chosen by the parliament to remain continually in the castle of Stirling with Queen Mary, for the sure keeping of her person. He had a charter of Lochcarneroth and other lands, in Dunbartonshire, forfeited by Matthew, Earl of Lennox, 10th July 1549; and died 24th May 1571. He married Lady Janet Keith, eldest daughter of William, third Earl Marischal, by whom he had issue,

Mag. Sig. L. xxi. No. 106. L. xxiii. No. 133. L. xxiv. No. 6. L. xxvi. No. 1, 36, L. xxviii. No. 190.

Pinkerton, II. 337.

Rec. Parl. 672.

Mag. Sig. L. xxx. No. 374.

1. *Robert*, Lord Graham.

2. *Alexander*, pensioner of Cambuskenneth.

3. *Mungo* Graham of Orchill, father of John Graham of Orchill, father of John Graham of Orchill, father of James Graham of Orchill, who, as nearest agnate, above 25 years of age, was served tutor at law of James, fourth Marquis of Montrose, 16th March 1688. Mungo Graham, son of William, Earl of Montrose, and the deceased Janet Keith, his wife, had a charter of the lands of Rathernis, in Perthshire, from his father, the Earl, 25th August 1547.

Inq. Ret. in Pub. Arch.

Montrose. Mag. Sig. L. xxx. No. 374. Crawf. Peer. 339.

4. *William* Graham, ancestor of the Grahams of Killearn. He had a charter from his father of the lands of Killearn, Ibert, and Drumbeg, 1560.

1. Lady *Margaret*, married to Robert, Master of Erskine, without issue. They had a charter of the barony of Kelly, 20th May 1536.

Penes D. Montrose. D.

2. Lady *Elisabeth*, married to George, fourth Earl of Caithness, and had issue.

3. Lady *Agnes*, married, contract dated 15th April 1547, to Sir William Murray of Tullibardine, and had issue.

4. Lady *Janet*, married to Sir Andrew Murray of Balvaird, and had issue. A charter was granted to Janet Graham, daughter of William, Earl of Montrose, in her virginity, by Andrew Murray, son and heir of Sir David Murray of Arngosk, knight, 28th September 1542, of the lands of Lochtoun, Kippo, &c. in Fife.

Mag. Sig. L. xxx. No. 249.

5. Lady *Catherine*, married to John Graham of Knockdolian.

XVII. ROBERT, Lord GRAHAM, eldest son and heir apparent of William, second Earl of Montrose, fell at the battle of Pinkie, 10th September 1547. He married Margaret, third daughter of Malcolm, third Lord Fleming, great-chamberlain of Scotland, and by her, who married, secondly, Thomas, Master of Marr; thirdly, John, fourth Earl of Atholl, chancellor of Scotland, had a posthumous son,

Crawf. Off. St. 152.

XVIII. JOHN, third Earl of MONTROSE, who succeeded his grandfather, 1571. He was chancellor of the jury on the trial of the Earl of Morton, 1581; had charters of the lands of Cowgask, Strathbrane, and Glenshee, and the office of sheriff of Perth, 28th May 1584, and was, on the 12th of the same month, appointed one of the extraordinary lords of session, which office he held till 9th February 1585; was again appointed, 6th November 1591, and continued therein till 19th May 1596. He was constituted high treasurer of Scotland, 13th May 1584, and high chancellor, 15th January 1598-9. After the accession of King James VI. to the throne of England,

Ibid.

Mag. Sig. L. xxxv. No. 877, 878.

Haile's Catal.

Montrose.

Mag. Sig. L. xlv. No. 323.

a commission passed the great seal, 8th February 1604, granting to John, Earl of Montrose, that he should represent the royal person during the time of parliament; and he accordingly presided in the parliament at Perth, 11th July 1604, when he was constituted first commissioner for the treaty of union, which, at that time, took no effect. Giving up the chancellor's place, he was appointed to the highest dignity a subject could enjoy, being constituted viceroy of Scotland, supremus regni Scotiæ procurator, by commission, dated December 1604, printed at length in the appendix to Crawford's Officers of State. In virtue of this commission, he presided in the parliament of Perth, 9th July 1606, wherein episcopal government was restored. He had charters to him, and Sir Robert Graham of Scottistoun, knight, his son, of the barony of Invermay, in Perthshire, 28th March 1605, to him, and John, Master of Montrose, his son, of the barony of Cowgask, 8th December 1606, and of the lands of Kyneff, &c. in the shire of Kincardine, 14th June 1607. He died 9th November 1608, in the 61st year of his age.

Mag. Sig. L. xliv. No. 101, 314. L. xlv. No. 31.

He married, in 1569, Jean, eldest daughter of David, Lord Drummond, and had issue,

1. *John*, fourth Earl of Montrose.

2. Sir *William* Graham of Braco. Sir William Graham of Braco, knight and baronet, was, on the 9th of October 1647, served heir of Sir John Graham, knight and baronet, his father, in the lands of Braco and Aithray. This Sir John was probably son of the first Sir William, and either he or his father was created a baronet, 28th September 1625.

Inq. Ret. xix. 116.

3. Sir *Robert* Graham of Scottistoun, who had a charter, Domino Roberto Graham, filio natu *minimo* Joannis, Comites de Montrose, and to Lady Anne Lindsay, his wife, of the lands of Innermay and Mukersie, in Perthshire, 7th March 1607. Dying without issue, in 1617, his brother, John fourth Earl of Montrose, was served heir of provision of him, 7th October 1617.

Mag. Sig. L. xlv. No. 199.

Inq. Ret. in Publ. Arch.

Daughter, Lady *Lilias*, married to John, Earl of Wigton, and had issue.

XIX. JOHN, fourth Earl of MONTROSE,* the eldest son, had two charters dated 23d May 1581, to John Graham, son and heir of John, Earl of Montrose, of the barony and earldom of Auld Montrose, the lands of Kincardine, Athera, Rathernis, Urquhell, and other lands in the counties of Forfar, Perth, and Stirling, and a third of Grugar, 21st May 1606. He succeeded his father 1608; had a charter of the lands of Fullarton and Cowgask, in Perthshire, 20th October 1622; was constituted president of the council in July 1626, and died 24th November same year. He married Lady Margaret Ruthven, eldest daughter of William, first Earl of Gowrie, by whom he had issue,

Montrose.

Mag. Sig. L. xxxv. No. 676. L. xliv. No. 240. L. liv. No. 41.

1. *James*, fifth Earl of Montrose.

1. Lady *Lilias*, married to Sir John Colquhoun of Luss, baronet, and had issue.

2. Lady *Margaret*, married, contract dated 15th April 1619, to Archibald, first Lord Napier, and had issue.

3. Lady *Dorothea*, married to James, second Lord Rollo, and died without issue, 16th May 1638.

4. Lady *Beatrix*, married to David, third Lord Maderty, and had issue.

5. Lady *Catherine*†.

XX. JAMES, fifth Earl of MONTROSE, born in 1612, succeeded his father, 1626, and was served heir of him, 28th March 1627, in his estates in the counties of Dunbarton, Forfar, Linlithgow, Perth, and Stirling. Being the only son of the family, he was prevailed on by his friends to marry soon afterwards. This interrupted his education; but getting preceptors into his house, he entered into a close course of study, wherein he made so great a progress that he soon became a master of Greek and Latin. After which he travelled into foreign parts, where he spent some years in attaining the languages, and learning the exercises then in vogue, in which he excelled most men, and returned home about 1634.

Inq. Ret. ix. 18.

Guthrie's Memoirs. Laing's History, passim.

* 19th January 1595, the young Earl of Montrose fought a combat with Sir James Sandilands, at the salt trone of Edinburgh, thinking to have revenged the slaughter of his cousin, Mr John Graham, who was slain with the shot of a pistol, and four of his men slain with swords. Birrel's Diary, 34.

† Spalding, History of the Troubles, II. 260, mentions, among the prisoners taken at the storming of Newcastle, 1644, Harry Graham, brother of the Marquis of Montrose. Probably he was illegitimate.

Montrose. Meeting with a cold and forbidding reception at court, his Lordship joined the supplicants in 1637, and became one of the most zealous supporters of the covenant, 1638. Next year he had the command of the forces sent to the north against the town of Aberdeen, which he obliged to take the covenant; and the Marquis of Huntly, who, on his approach, disbanded the men he had raised, was sent prisoner to Edinburgh. Lord Aboyne appearing in arms in the north, the same year, Montrose was dispatched against him, and totally routed his forces, at the bridge of Dee. When the pacification of Berwick was concluded, Montrose was one of the noblemen who paid their respects to Charles I. at that place in July 1639.

An army being raised to march into England, 1640, Montrose had two regiments given him, one of horse, and one of foot. He led the van of that army through the Tweed, alighting from his horse, and marching through the river on foot, and contributed to the victory, at Newburn, 28th August 1640. Matters were soon settled by the treaty of Ripon; but Montrose became disgusted with the covenanters, as he was not consulted relative to the negotiation. He now entered into a secret correspondence with the king, and, at a meeting at Cumbernauld, procured the subscription of nineteen peers to an association on his majesty's behalf. Having asserted that the Marquis of Argyll intended the deposition of the king, he was imprisoned in the castle of Edinburgh, in June 1641, where he was, on the arrival of Charles, to whom he denounced the Marquises of Hamilton and Argyll as traitors. Being released in January 1642, he retired to the country, and lived privately till March 1643, when he went to Burlington, to meet the Queen, just landed from Holland, and conveyed her majesty to York. He informed her of the intention of the Scots to raise an army to support the English parliament, and solicited a commission to raise forces for the King, but the Marquis of Hamilton frustrated that proposal, and Montrose again returned home, but soon repaired to the King, at Oxford. Montrose was now favourably received, and proposed that the Earl of Antrim should raise 2000 Irish for the royal cause, to be transported from Ulster, to the coast of Argyll, to join him with what forces he could raise in Scotland. This being approved of, Montrose, with a few troops collected in Westmoreland, erected the royal standard at Dumfries, in April 1644, but was soon obliged to retire to England, and he was excommunicated by the commission of the General Assembly, 26th April 1644. He was raised to the dignity of Marquis of Montrose, 6th May 1644; routed the parliamentary garrison at Morpeth, and threw provisions into Newcastle; and, after the defeat of Prince Rupert, at Marston Moor, in July 1644, left his men with that general, and went to Scotland. Montrose.

Disguised as a groom, with only two attendants, Montrose arrived in Strathern, where he continued till rumour announced the approach of 1500 Irish, who, after ravaging the northern extremity of Argyllshire, had landed in Sky, and traversed the extensive range of Lochaber and Badenoch. On descending into Atholl, in August 1644, they were surprized with the unexpected appearance of their general, Montrose, in the garb of a mountaineer, with a single attendant, but his name was sufficient to increase his army to 3000 men. He attacked an army of the covenanters, extending to upwards of 6000 foot and horse, at Tippermuir, 1st September, totally routed them, and took their artillery and baggage, without losing a man. Perth immediately surrendered to Montrose, but Argyll approaching, he abandoned that place as untenable, and went north. He defeated the convenanters under Lord Lewis Gordon, at the bridge of Dee, 12th September, and continued the pursuit to the gates of Aberdeen, which the victors entered with the vanquished, and sacked the town.

Argyll advancing with a superior force, Montrose retreated northward, expecting the support of the Gordons; but in this he was disappointed, and finding the banks of the Spey guarded, he retreated over the mountains into Badenoch, burying his artillery in a morass. He descended into Atholl and Angus, pursued by Argyll, but, by a sudden march, repassed the Grampians, and returned to rouse the Gordons to arms. At Fyvie, he was almost sur-

Montrose.

prised by Argyll, 27th October 1644, but maintained a situation advantageously chosen, against the reiterated attacks of a superior army, till night, when he made good his retreat into Badenoch. He immediately proceeded into Argyllshire, which he ravaged; and sentence of forfeiture was passed against him in parliament.

Argyll, exasperated with the devastation of his estates, marched against Montrose, who, not waiting to be attacked, surprised the army of the covenanters, at Inverlochy, 2d February 1645, and totally defeated them, no less than 1500 Campbells perishing in the battle, while Montrose lost only four or five men. He now proceeded to Moray, when he was joined by the Gordons and Grants; they marched to the southward, taking Dundee by storm, 29th March; but being attacked by a superior army under Baillie and Hurry, Montrose began to retreat. Baillie and Hurry divided their forces, to prevent his return to the north; but, by a masterly movement, he passed between their divisions, and regained the mountains. He defeated Hurry, at Aldern, near Nairn, by an arrangement similar to that of Epaminondas at Leuctra and Mantinea, on the 4th of May 1645, when 2000 of the covenanters were killed on the field of battle. Pursuing that victory, Montrose encountered and defeated Baillie, at Alford, 2d July, but his success was embittered by the loss of Lord Gordon, who fell in the action. His victories attracted reinforcements from every quarter, and he marched to the southward at the head of 6000 men. He again encountered the covenanters, under Baillie, at Kilsyth, 15th August, and defeated them with great slaughter, about 5000 perishing in the field, with the loss of very few men on his side. Edinburgh and Glasgow now submitted to Montrose, who prepared to march into England, but, on the 13th of September 1645, he was surprised and totally defeated at Philiphaugh, by General Lesly, and his army dispersed.

After this reverse of fortune, Montrose retired into the north. In 1646, he formed an association with the Earls of Sutherland and Seaforth, and other Highland chieftains, and they laid siege to Inverness; but General Middleton forced Montrose to retreat with considerable loss. Charles I. now sending orders to Montrose to disband his forces and to leave the kingdom, he capitulated with Middleton, 22d July 1646, by which an indemnity was granted to his followers, and he was permitted to retire to the continent. The capitulation was ratified by parliament, and Montrose was allowed to remain unmolested in Scotland for a month, to settle his affairs.

Montrose.

Montrose now proceeded to France, where he resided two years. He had the offer of the appointments of general of the Scots in France, lieutenant-general in the French army, and captain of the gens d'armes, with an annual pension of 12,000 crowns, besides his pay, and a promise of being promoted to the rank of marechal, and to the captaincy of the king's guards, which he declined, as he wished only to be of service to his own king. He retired privately from Paris, in May 1648, and went to Germany, from thence to Brussels, where he was at the period of the execution of Charles I., 1649. He then repaired to the Hague, where Charles II. was, and offered to establish him on the throne of Scotland by force. The King gave him a commission accordingly, and invested him with the order of the Garter. Montrose, with arms supplied by the court of Sweden, and money from Denmark, embarked at Hamburgh, with 600 Germans, and landed in Orkney, in spring 1650. His army was increased to 1400, with which he crossed into Caithness, and marched to the southward. At Invercharron his forces were defeated by Strachan, 27th April 1650. Montrose's horse was shot under him, but he was generously remounted by his friend, Lord Frendraught. He threw away his ribbon and george, changed clothes with a countryman, and thus escaped to the house of Macleod of Assint, by whom he was betrayed to General Lesly*.

Letter of Archibald, Lord Napier, Brussels, 14th June 1648, penes D. Napier.

Whatsoever indignities the bitterness of party rage or religious hatred could suggest,

* Macleod of Assint was tried before the justiciary, 2d February 1674, for treason; among other charges was one for betraying, under trust, the Marquis of Montrose, his majesty's lieutenant-general, and delivering him a prisoner to the rebels, for which he received a reward of 400 bolls meal. Arnot's Criminal Trials, 234.

Montrose. were accumulated on a fallen illustrious enemy, formerly terrible, and still detested. He was conducted through the north by the ungenerous Lesly, in the same mean habit in which he was taken. His devastations were not forgotten, his splendid victories never forgiven, and he was exposed by excommunication to the abhorrence and insults of a fanatical people. His sentence was already pronounced in parliament on his former attainder, with every aggravation which brutal minds can delight to inflict. He was received by the magistrates of Edinburgh at the Watergate, 18th May 1650, placed on an elevated seat in a cart, to which he was pinioned with cords, and preceded by his officers coupled together, was conducted, bare headed, by the public executioner to the common gaol. But his magnanimity was superior to every insult. When produced to receive his sentence in parliament, 20th May, he was upbraided by the chancellor with his violation of the covenant, the introduction of Irish insurgents, his invasion of Scotland during a treaty with the King; and the temperate dignity which he had hitherto sustained, seemed at first to yield to indignant contempt. He vindicated his dereliction of the covenant by their rebellion, his appearance in arms by the commission of his sovereign, and declared, that as he had formerly deposited, so he had again resumed, his arms by his Majesty's command, to accelerate the treaty commenced with the states. A barbarous sentence, which he received with an undaunted countenance, was then pronounced, that he should be hanged for three hours on a gibbet thirty feet high, that his head should be affixed to the common gaol, his limbs to the gates of the principal towns, and his body interred at the place of execution, unless his excommunication were taken off, and then it might be buried in consecrated ground. With dignified magnanimity he replied, that he was prouder to have his head affixed to the prison walls, than his picture placed in the King's bed-chamber; "and far from being troubled that my "limbs are to be sent to your principal "towns, I wish I had flesh enough to be "dispersed through christendom to attest "my dying attachment to my king." It was the calm employment of his mind that night to reduce this extravagant sentiment to verse, and he wrote with a diamond on his prison window these verses: Montrose.

Let them bestow on every airth a limb,
Then open all my veins, that I may swim
To thee, my Maker, in that crimson lake,
Then place my parboiled head upon a stake,
Scatter my ashes, strew them through the air,
Lord, since thou knowst where all these atoms are,
I'm hopeful thou'lt recover once my dust,
And confident thou'lt raise me with the just.

He appeared next day, 21st May, on the scaffold in a rich habit, with the same serene and undaunted countenance, and addressed the people, to vindicate his dying unabsolved by the church. The insults of his enemies were not yet exhausted. The history of his exploits was attached to his neck by the executioner; but he smiled at their inventive malice, declaring that he wore it with more pride than he had done the garter; and when his devotions were finished, demanding if any more indignities were to be practised, submitted calmly to an unmerited fate.

Thus perished, at the age of 38, the gallant Marquis of Montrose, with the reputation of one of the first commanders whom the civil wars had produced. He excelled in the stratagems of war; but his talents were rather those of an active enterprising partizan than of a great commander; better fitted to excite and manage a desultory war, than to direct the complicated operations of a regular campaign. His genius was great and romantic, in the opinion of Cardinal de Retz, approaching the nearest to the antient heroes of Greece and Rome. But his heroism was wild and extravagant; and was less conspicuous during his life, than from the fortitude with which he sustained an ignominious death. After the restoration, his scattered remains were collected and deposited in the abbey church of Holyroodhouse, where they remained till 14th May 1661, when the body was, with the greatest solemnity and magnificence, carried to the cathedral church of St Giles, and interred in the family aile.

He married Lady Magdalen Carnegie, sixth daughter of David, first Earl of Southesk, by whom he had two sons,

Montrose.

Spalding, II. 277.

1. —— Earl of Kincardine, a proper youth, of singular expectations, who, accompanying his father in his campaign in 1645, died at the Bog of Gicht in March 1645, in his 16th year, and was buried at Bellie church.

2. *James*, second Marquis of Montrose.

XXI. JAMES, second Marquis of MONTROSE, the only surviving son, born about 1631, was restored to the family estates, sworn a privy-councillor, and had a patent of the title of Marquis of Montrose, 12th October 1660. He had a charter of the Lordship of Cowal, forfeited by the Marquis of Argyll, 21st August 1661, was served heir male of his father, 30th May 1665, and appointed one of the extraordinary lords of session, 25th June 1668, but did not long enjoy that place, dying in February 1669, and he was buried in the chapel of Aberruthven in Perthshire, 23d April following. He was a nobleman of honour and probity, so great a lover of justice, and so strict in the observance of his word and promise, that none was ever more worthy of the title of an honest man. To distinguish him from his *great* predecessor, he obtained the more amiable appellation of the *good* Marquis, by which he was long affectionately remembered. He married Lady Isabel Douglas, fifth daughter of William, second Earl of Morton, relict of Robert, first Earl of Roxburghe, and had issue,

Mag. Sig. L. ix. No. 2. 102.

Crawf. Peer. 348.

Hailes's Catal. 24.

1. *James*, third Marquis of Montrose.

2. Lord *Charles*, who died young.

Daughter, Lady *Anne*, married to Alexander, third Earl of Calendar, and had issue.

XXII. JAMES, third Marquis of MONTROSE, the eldest son, succeeded his father in 1669, being then very young, and was served heir male of him in his estates in the counties of Dunbarton, Forfar, Linlithgow, Perth, and Stirling, 24th June 1669. King Charles II. took him under his immediate protection, gave him the appointment of captain of the guards, and afterwards constituted him president of the council. He died, to the general regret of the nation, 25th April 1684. By his wife, Lady Christian Lesly, second daughter of John, Duke of Rothes, chancellor of Scotland, who took to her second husband, in May 1687, Sir John Bruce of Kinross, without issue, he had a son,

Crawf. Peer. 348.

Montrose.

XXIII. JAMES, fourth Marquis of MONTROSE, who was served heir male of his father, 18th February 1685, being then very young. His father nominated, as his tutors, his mother, the Earls of Haddington and Perth, Hay of Drumelzier, and Sir William Bruce of Kinross, the Marchioness, and in her absence Lord Haddington, being sine quibus non. The tutory was found null on the marriage of the Marchioness to Sir John Bruce, younger of Kinross, by decision of the Court of Session, 1st February 1688, Lord Haddington being then dead, although she offered to entertain her son gratis, and at his age of ten years, to give up to him 2000 marks of her jointure with her husband's consent. This annulling of the tutory was thought to be a device of King James VII. to have the Marquis bred in the Romish persuasion, Lords Harcarse and Edmonstone voted against it, which contributed to the laying them aside by letter from the King, 29th February 1688. The nearest agnate of the Marquis was Graham of Braco, but being under 25, he could not be tutor at law, and James Graham of Orchill was served his tutor as nearest agnate above 25. His education appears to have been properly attended to, as a contemporary said of him in 1705, "he inherits all the great quali- Mackay's Memoirs.
"ties of the two families (Montrose and "Rothes), from whom he derives his de-"scent, with a sweetness of behaviour "which charms all who know him; hath "improved himself in most foreign courts; "is very beautiful in his person, and about "25 years old." He made a great addition to his estate, by purchasing the property of the Duke of Lennox in Scotland.

He was appointed high admiral of Scotland, 23d February 1705, president of the council, 28th February 1706, steadily supported the union and the protestant succession, for which he was advanced to the dignity of Duke of Montrose, by patent dated 24th April 1707. He was one of the sixteen representatives of the Scotish peerage chosen by parliament, 13th February 1707, rechosen at the general elec-

tion 1708, again in 1715, 1722, and 1727. His Grace was appointed keeper of the privy seal, 28th February 1709, but was removed in 1713 for not complying with the tory administration. On receiving intelligence of Queen Anne's illness, he hastened from the country to Edinburgh, where he was, 4th August 1714, when the order for proclaiming King George, who had appointed him one of the lords of regency, arrived. Next morning his Grace, attended by the Marquis of Tweeddale, the Earls of Rothes, Morton, Buchan, Haddington, Lauderdale, Leven, Hyndford, Rosebery, Hopetoun, and Ilay, and the Lords Torphichen, Elibank, Belhaven, Polwarth, and Balgony, attended the proclamation of his Majesty, which was done with extraordinary pomp and ceremony, in which the citizens joined with great marks of affection and joy. His Grace arrived at London, 10th August, to be ready to receive the King, who, on the 24th of September, six days after he landed in England, appointed the Duke one of the principal secretaries of state in room of the Earl of Marr, and he was sworn a privy-councillor at St James's, 4th October 1717. His Grace was constituted keeper of the great seal in Scotland in 1716; but joining the opposition against Sir Robert Walpole, was removed from that place in April 1733*. He held the office of chancellor of the university of Glasgow, and died at London, 7th January 1742.

His Grace married Lady Christian Carnegie, second daughter of David, third Earl of Northesk, and by her, who died at Edinburgh, 25th May 1744, had a daughter, Lady *Margaret*, who died unmarried, and four sons,

1. *James*, Marquis of Graham, who died in infancy.

2. *David*, Marquis of Graham, who was created a peer of Great Britain, by the titles of Earl and Baron Graham of Belford in Northumberland, 23d May 1722, with remainder to his brothers. He took the oaths and his seat in the House of Lords, 19th January 1727, and died unmarried, 2d October 1731, in his father's lifetime.

3. *William*, second Duke of Montrose.

4. Lord *George* Graham, who was appointed a captain in the royal navy, 15th May 1740, and the same year governor of Newfoundland, chosen Member of Parliament for the county of Stirling at the general election 1741, was much and actively employed during the war, and died unmarried at Bath, 2d January 1747. Aaron Hill wrote a poem to Lord George Graham, on his action near Ostend, 24th June 1745.

XXIV. WILLIAM, second Duke of MONTROSE, was placed, in August 1723, under the tuition of David Mallet, who, on his arrival that month, at Shawford near Winchester, where the family resided, wrote to a friend, "Both my Lord and "my Lady received me kindly, and as for "my Lord William and Lord George, I "never saw more sprightly or more hope-"ful boys." In summer 1724, Mallet translated Bossuet's Discours sur l'Histoire Universelle, for his use. He succeeded his brother as Earl and Baron Graham of Belford, 1731 †, his father as Duke of Montrose 1742 ‡, and died at Twickenham, 23d September 1790. His Grace married, at London, 28th October 1742, Lady Lucy Manners, youngest daughter of John, second Duke of Rutland (who died 22d February 1721), and by her, who died at London, 18th June 1788, æta. 71, and was

* Earl of Stair to Earl of Marchmont, 10th December 1736.—"I wish you could have persuaded our friend the Duke of Montrose to go into a warmer climate, as the best way to re-establish his health, which I think of great value to his country as well as to his friends. I need not tell you how much I respect him for his superior virtue. I love him for having every good quality that one could wish for in a friend. Appendix to Rose's Observations on Fox, xxiv.

† On the 12th July 1739, riding at some distance before his servant near Farnham, he was attacked in a bye-lane by two highwaymen, one of whom laying hold of his bridle and bidding him deliver, his Lordship drew a pistol and shot him through the head, the other, snapping his pistol, made off, and was pursued by his Lordship, till quitting his horse, he escaped into a wood.

Quùm duo latrones flammâ ferroque Grahamum
Unà urgent, pugnâ hic perdidit, ille fugit.

‡ Under the jurisdiction act, 1747, his Grace was allowed for the sheriffship of Dunbartonshire 3000l., regality of Montrose 1000l., of Menteth 200l., of Lennox 578l. 18s. 4d., and of Darnley 800l.; in all 5578l. 18s. 4d., in full of his claim of 15,000l.

Montrose.

buried at Aberruthven in Perthshire, had three children,

1. A son born and died 20th January 1745.

2. Lady *Lucy*, born July 1751, married at London, 13th June 1771, to Archibald Douglas of Douglas, created Lord Douglas of Douglas 1790, and died 18th February 1779, æta. 28, leaving issue*.

3. *James*, third Duke of Montrose.

XXV. JAMES, third Duke of MONTROSE, born 8th September 1755, was chosen Member of Parliament for Richmond at the general election 1780, and for Great Bedwin 1784 and 1790, appointed one of the lords of treasury on the establishment of the Pitt administration, 27th December 1783, and paymaster of the forces 1789, also one of the commissioners for the affairs of India, and was sworn a privy-councillor. He succeeded his father 1790, was appointed master of the horse in November 1790, was invested with the order of the Thistle 14th June 1793, constituted lord justice-general of Scotland 1795, when he gave up the mastership of the horse, colonel of the Stirlingshire militia, and lord-lieutenant of that county, 1798, president of the board of trade, 10th June 1804, and joint postmaster-general, 13th July same year. From these two offices his Grace was removed on the change of administration in February 1806; but on his friends coming into power, the office of master of the horse was again conferred on him, 4th April 1807. His Grace is chancellor of the university of Glasgow.

His Grace married, first, 22d February 1785, Lady Jamima Elisabeth Ashburnham, eldest daughter of John, Earl of Ashburnham, by whom he had one son, *William*, Earl of Kincardine, born 4th September 1786, died 29th April 1787. His mother, who was born 1st January 1762, died in Grosvenor Square, London, 17th September 1786, æta. 25. His Grace married, secondly, at Kensington palace, 24th July 1790, Lady Caroline Maria Montagu, born 10th August 1770, eldest daughter of George, Duke of Manchester, and has issue,

Montrose.

1. Lady *Georgina Charlotte*, born 3d June 1791.

2. Lady *Caroline*, born 30th September 1792.

3. Lady *Lucy*, born 25th September 1793.

4. *James*, Marquis of Graham, born 16th July 1799.

5. Lady *Emily*, born 23d January 1805.

6. Lord *Montagu William*, born 2d February 1807.

TITLES.—James Graham, Duke of Montrose, Marquis of Montrose, Graham, and Buchanan, Earl of Montrose, Kincardine, and Belford, Viscount Dundaff, Lord Graham, Aberruthven, Mugdock, Fintry, and Graham of Belford.

CREATIONS.—Lord Graham, before 5th July 1451, when Patricius, Dominus Graham had a safe conduct into England. Earl of Montrose, 3d March 1504-5, when the lands of Auld Montrose were erected into an earldom. Marquis of Montrose, 6th May 1644, confirmed 12th October 1660, to the second Marquis, and the heirs male of his body. Resigned by the fourth Marquis of Montrose, and new charter of the titles and estates granted, 6th September 1706, to James, fourth Marquis of Montrose, in liferent, and in fee to David, Lord Graham, his son, and the heirs male to be procreated of his body, quibus deficien. aliis hæredibus masculis legitime procreat. seu procreand. ex corpore dicti Jacobi Montisrosarum Marchionis, et hæredibus masculis ex corpore eorum; quibus deficien. hæredibus fæmellis ex corpore dicti Davidis, Domini Grahame, et hæredibus quibuscunque ex corporibus eorum procreand. maxima hæres fæmella omnes reliquos excluden. et sine divisione succeden. quibus deficien. hæredibus fæmellis aliorum dict. hæredum masculorum legitime procreat. seu procreand. ex corpore dicti Jacobi, Marchionis Montisrosarum, et hæredibus eorum quibuscunque, maxima

Mag. Sig. L. lxxxii. No. 117.

* With the finest moral feelings of the heart, Lady Lucy Douglas possessed a well-cultivated mind, and a correct taste. By arranging the natural beauties of Bothwell, with the aid of her husband, she produced a paradise. Here she *spent* her leisure hours, forgot the world, conversed with Nature, and its great Author, and participated in those pleasures which were pure, serene, and congenial to her own mind. Stat. Acc. xvi. 327.

Montrose. hæres fæmella reliquas hæredes fæmellas semper excluden. et sine divisione succeden. ut. dict. est; quibus deficien. hæredibus fæmellis procreat. seu procreand. ex corpore dicti Jacobi, Montisrosarum Marchionis, et hæredibus masculis ex corporibus earum quibuscunque, maxima hæres fæmella reliquas hæredes semper excluden. et sine divisione succeden. quibus. deficien. ulli aliæ personæ vel personis ut dict. Jacobus, Montisrosarum Marchio, per scripturam sub manu sua conceden eum succedere nominabit ulla temporæ suæ vitæ et etiam in articulo mortis, et quæ nominatio tam valida efficiens et sufficiens erit pro dict. deservitione personæ vel personarum pro hæredi vel hæredibus talliæ et provisionis sic nominand. ac si ille in præsentibus nominatim insererentur, &c. quæ nominatio vel persona seu personæ sic nominan. et designan. deficien. tunc hæredibus talliæ et provisionis content. in antiquis juribus et infeofamentis ducatus, marchionatus, comitatuum, dominorum, baroniarum, terrarum, titulorum honoris, dignitatuum, officiorum, jurisdictionum, decimarum, aliorumque subscript. quibus omnibus deficien. hæredibus proximis vel assignatis dicti Jacobi, Montisrosarum Marchionis, quibuscunque. Ratified by act of parliament, 1707. Duke of Montrose, Marquis of Grahame and Buchannan, Earl of Kincardine, Viscount of Dundaff, Lord Aberruthven, Mugdock, and Fintrie, by patent, dated at Kensington, 24th April 1707, to the first Duke, et hæredes masculos ex suo corpore, quibus deficien. hæredes titulo et dignitati Marchionis de Montrose, per priora diplomata prædecessoribus dict. Jacobi, Marchionis de Montrose, facta et concessa succedere provisos, antedict. titulum honorem ordinem gradum et dignitatem Ducis. Scotish honours.—Earl and Baron Graham of Belford, in Northumberland, 23d May 1722: British honours. Montrose.

Mag. Sig. L. lxxxii. No. 164.

ARMS.—Quarterly: 1st and 4th, Or, on a chief, sable, three escallops of the first, for Graham; 2d and 3d, Argent, three roses, gules, barbed and seeded, proper, for the title of Montrose.

CREST.—An eagle, wings hovering, Or, preying on a stork on its back, proper.

SUPPORTERS.—Two storks, argent, beaked and membered, gules.

MOTTO.—*Ne oublie.*

CHIEF SEAT.—Buchanan House, in the county of *Stirling*.

MONYPENNY, LORD MONYPENNY.

Monypenny. THE sirname of Monypenny is of great antiquity in Scotland. Ricardus de Monypenny obtained from Thomas, Prior of St Andrews, the lands of Pitmullen, now Pitmillie, in Fife. John de Monypenny of Pitmilly swore fealty to King Edward I., 1296. Another, or the same John de Monypeny, was one of the ambassadors from the Pope and French King, to solicit Edward III. on behalf of the Scots, and obtained a safe conduct to pass into Scotland, 22d January 1335-6. Among the missing charters of David II., noticed in Robertson's Index, are the following: By Thomas Hay, to Thomas Moneypenny of Pitmillie, of part of his lands within the barony of Lucheris, in vic. Perth. To John Monypenny of Pitmullie, of the lands of Drumranet, in the barony of Crail, in vic. de Fife. By Walter Maule of Panmure, to John Monypenny of Skenie, Balleschane of Cambingstoun, Greenford, Carncorthie, Pit- Monypenny.

Sibbald's Fife, 348.

Pryune, III. 661.

Fœdera, IV. 684.

Robertson's Index, 58, 59, 61.

Monypenny. couran of Witfield, with the maynes thereof, the barony of Balhousie, in vicecom. Forfar. To Janet Monypenny, of the third part of Leuchars, in vicecom. de Fife.

I. THOMAS MONYPENNY, and Christian Keith, his wife, had a charter from King Robert III. of the third part of the barony of Leuchars, in Fife. He was probably father of two sons,

Robertson's Index, 141.

Haddington's Coll. D.

1. *John* Monypenny of Pitmillie, one of the inquest on the service of Alexander Ochterlony, as heir of his father William, in the lands of Kelly, 24th April 1409.

Reg. Mag. Sig. 254.

Robert, Duke of Albany confirmed, 11th December 1413, that donation which John Monypenny de Petmoly made dilecto nostro Thomas Monypenny, his son and heir of his lands of Balbot, in the constabulary of Crail, 16th December 1413. The lands of Pitmillie are still possessed by his lineal heir male and representative, David Monypenny, Esq. solicitor-general of Scotland.

2. *William.*

Ib. 248.

II. Sir WILLIAM MONYPENNY, probably the second son, witnessed a charter by James de Douglas, miles, dominus de Dalkeith, dated at Dalkeith, 11th July 1411, being designed Willielmus Monypeny, consanguineus noster, miles. He married Margaret, daughter of Philip Arbuthnott of Arbuthnott, and by her had a son,

Fœdera, XI. 75, 180.

III. WILLIAM MONYPENNY, who had a safe conduct to William Monypenny, armiger, dated 5th December 1444, to the coronation of Henry IV. Another safe conduct was granted, 14th July 1447, to William de Monypeny, natif d'Escoce, escuier d'escuieres of the King of France, to negotiate the marriage of Eleanor of Scotland to the Dauphin. He had a charter,

Mag. Sig. L. ix. No. 37, 43, 149.

Willielmo Monypenny, militi, of the lands of Halliserth, in Stirlingshire, incorporated into a free barony, to be called the barony of Monypenny, 1st May 1450; and of the King's lands of Herbertschel, 26th June 1450. William Monypenny, de eodem, miles, had a charter of the King's lands of Parkhill, and the King's wood of Irneside, in Fife, in excambion for Lethbert and Lethbertshiels, 7th October 1451. He acquired the lands of Conquirsall, in France.

A charter was granted, Willielmo Monypenny, de Ardweny et Cowkersalee, militi, of the King's lands of Broadlaw, Ratre, Rethraquhy, Calrnglass, Mylhill, and mill of Crithmond, forfeited by the deceased Hugh, Earl of Ormond, 7th October 1458; and, of the same date, a charter was granted to him and Catherine, his wife, remainder to the heirs of Marjory Stewart, grandmother of Catherine, of the lands of Butill, Kirkcuan, and Barloquhan, in the barony of Butill, in the stewartry of Kirkcudbright. Three commissions passed the great seal, 8th November 1458, to William Monypenny, baron of Retre, lord of Conquirsall, and John Kennedy, provost of St Andrews, to proceed on an embassy to France, to demand the earldom of Xantoign, which had been granted to James I. They were also directed to form a treaty with the King of Castile; to settle the debt due by Scotland to the King of Denmark; and afterwards to pass to Rome, to testify the King's obedience to the new Pontiff, Pius II. William, Lord Monypenny of Conquirsall, knight, was next in remainder to William Monypenny of Petmuly, and the heirs male of his body, in a charter of the lands of Luthers, Monypenny, Drumranok, and Balboit, in Fife, and Ardweny in Forfarshire, 9th November 1458. He was created a peer, probably by James II., as charters were granted to William, Lord Monypenny, of the barony of Kirkennan and Corstrathane, in the stewartry of Kirkcudbright, on the resignation of James, Lord Hamilton, and Euphemia, Countess of Douglas, 17th July 1464. Charters were granted to William, Lord Monypenny, of the barony of Feldy, in Perthshire, 25th December 1466; of Kirkanders, in the county of Wigton, 26th February 1471-2; of Balgredan and Corstraithan, 31st August 1472; and of Easter Leky, in Stirlingshire, 19th September 1472. Guillaume, seigneur et baron banneret de Monypeny, et de Congressault, was ambassador from France to England, 16th February 1471. Lord Monipennie is mentioned as one of the lords present at pronouncing a decreet, 13th May 1471; but this appears to be a mistake, as his name does not occur that day in the Acta Auditorum. His son,

Monypenny. Mag. Sig. L. v. 16, 17, 78, 79, 80.

Pinkerton, I. 242.

Mag. Sig. L. vi. No. 78, 79. L. vii. No. 99, 134. 149, 170, 240.

Fœdera, XI. 690.

Carmichael's Tracts, 49.

Monypenny.

Mag. Sig. L. xi. No. 67.

III. ALEXANDER, Lord MONYPENNY, had a charter, Alexandro Monypenny, filio et heredi Willielmi, Domini Monypenny, of Luchrismonye, in Fife; Corstraithane, in the stewartry of Kirkcudbright; and Ardony, in Forfarshire, 20th March 1483-4, on his father's resignation. Having no male issue, he exchanged his barony of Earlshall, in Fife, with Sir Alexander Bruce, for his lands called Escariot, in France, in 1495; and the peerage failed in him.

Monypenny.

Crawf. Peer. 350.

ARMS.—Quarterly: 1st and 4th, Or, a dolphin, azure, finned, gules, for Monypenny. 2d and 3d, Gules, three cross crosslets, fitchee, issuing out of as many crescents, argent.

RANDOLPH, EARL OF MORAY *.

Moray.

DUNEGAL, the first of this noble family, was proprietor of Stranit, or Nithsdale, as in the grant which Robert Brus obtained from King David I. of Annandale, it is described as bounded on one side by Stranit, the property of Dunegal. He had four sons: 1. Ranulphus; 2. Duncan; 3. Gillipatrick, who, in a donation to the monastery of Kelso, is, with his brother, Duncan, designed fratres Ranulphi; 4. Dovenald, also designed brother of Ranulph.

Chartul. of Kelso and Glasgow. D.

RANULPH, the eldest son, married Bethoc, the heiress of several manors, who gave her name to the parish of Bethocrule, now Bedrule. At the establishment of the monastery of Jedburgh, in 1147, Ranulph, the son of Dunegal, and Bethoc his wife, granted to the canons a carucate of land, in Rughchester, with common pasture, in the same manor. Ranulph, the son of Dunegal, made a donation to the monastery of Kelso, of some lands lying in Dumfries. He and his brother, Donald, witnessed a charter of Malcolm IV., confirming one of David I. to the church of St Mungo at Glasgow; and Ranulph, the son of Dunegal, witnessed several charters of King William I. His posterity assumed the name of Ranulph from him.

Caledonia, II. 172.

Chartul. Kelso. D.

Hay's Collections, II. 157. D.

I. THOMAS, filius Ranulphi, was one of the principal barons of Scotland, who became bound to maintain the agreement made betwixt Henry III. and Alexander II., at York, before the Pope's legate, in 1237. He was one of the Anti-Anglican party, removed from the administration of affairs during the minority of Alexander III., 21st September 1255; and dying in 1262, was interred at Melrose, leaving, by Juliana, his wife, who was buried there the same year, a son,

Moray.

Fœdera, I. 376, 566.

Crawf. Off. St. 264.

II. THOMAS RANULPH of Strathdon, who was sheriff of the county of Roxburgh, 1266, and vir magnæ mansuetudinis et sapientiæ. He was appointed great-chamberlain of Scotland, 1296, and held that office till 1278; sat in the parliament at Brigham, 1290, when the marriage of Queen Margaret with Prince Edward was agreed to; and he was one of the nominees on the part of Robert Bruce, in his competition for the crown of Scotland, 1292. Thomas Ranulph swore fealty to Edward I., 13th June 1292; was present when Baliol did homage to the English monarch, 26th December 1292. Thomas, dictus Randulf, was one of the magnates Scotiæ who appeared on the part of Baliol that month; and Thomas Randulf was summoned to attend King Edward into France, 1st September 1294. He married Lady Isabel

Chartul. Kelso.

Fordun, II. 111.

Crawf. Off. St. 264.

Fœdera, II. 472, 555, 558, 596, 645.

* Angus, Earl of Moray, was killed at Strickathrow, in Forfarshire, in 1130. Dalr. Ann. I. 76.

Moray. Bruce, eldest daughter of Robert, Earl of Carrick, sister of King Robert I., and by her had a son,

Thomas;—and a daughter,

Isabel, married to Sir William Murray, knight.

III. Sir THOMAS RANDOLPH, the only son, was, under the designation of Thomas Randul le fyz, present when Baliol did homage to Edward I., in December 1292. He was one of the chief associates of his uncle, King Robert Bruce, in his arduous attempt to restore the liberties of his country, 1306. After the defeat of that monarch at Methven, the same year, Randolph, through the intercession of Adam de Gordon, obtained mercy, and was admitted to swear fealty to Edward I. He was taken prisoner by a party of King Robert's forces, in 1308, and ordered into close confinement. Being at length received into favour, he eminently distinguished himself at the taking of Roxburgh, 1312, and took Edinburgh Castle, by escalade, 14th March 1312-3, being the third that mounted the ladder. Barbour thus describes him: He was of comely stature, broad-visaged, and of countenance fair and pleasant, the friend of brave men, loyal, just, and munificent, jovial and amorous, and altogether made up of virtue. He had the command of the left of the Scotish army, at the decisive battle of Bannockburn, 24th June 1314, and contributed greatly to the atchievement of that victory. King Robert I. rewarded his nephew with the district of Annandale, the Isle of Man, with the Calf; the half of the barony of Urr, in Dumfries-shire, forfeited by Henry Percy; the baronies of Mordington and Longformacus, in Berwickshire; Aberdour, in Fife; and Morton, in Nithsdale. He also bestowed on him the earldom of Moray; a district of great extent, as appears from the grant thereof, Thomæ Ranulphi, militi, dilecto nepoti nostro, omnes terras nostras in Moravia, sicut fuerunt in manibus Domini Alexandri, Regis Scotiæ, prædecessoris nostri ultimè defuncti, una cum aliis terris adjacentibus infra metas subscript. incipiendo videlicet ad aquam de Spee sicut cadit in mare et sic ascendendo per eand. aquam includendo terras de Fouchabre, Rodhenagkis, Rothays et de Bocham, et sic ascendendo per dictam aquam usque ad marchias de Badenach, et sic includendo omnes terras de Badenach, de Kyncardin, et de Glencarry, et sic sequendo marchiam de Badenach usque marchiam de Lochabre, et sic includendo terras de Lochabre, de Mamore, de Locharkeith, de Glengareth, et de Glenelgis, et sic sequendo marchiam de Glenelge, usque ad mare versus occidentem, et sic per mare usque ad marchias borealis Ergadie que est Comitis de Ros, et sic per marchias illas usque ad marchias Rossie, et sic per marchias Rossie, quousque perveniatur ad aquam de Forne, et sic per aquam de Forne quousque perveniatur ad mare orientale. Tenend. et habend. dicto Thomæ et heredibus suis masculis de corpore suo legitime procreatis, seu procreandis, in libero comitatu ac in libera regalitate, &c. una cum magna custuma nostra burgi de Inverness, et cocketo ejusdem, &c. et quod dictus Comes et heredis sui amerciamenta escaetas et forisfacturas habeant et possideant, &c. to return to the King and his heirs, in failure of his heirs male *.

Moray.

Fœdera, II. 595.

Dalr. Ann. II. 2, 19, 31, 44.

Robertson's Index, 9.

Ibid. xlix.

In the act of settlement of the crown of Scotland, at Air, 26th April 1315, it was provided, that, in the event of the heir being in minority, "Thomas Ranulphi, Comes Moraviæ," should be guardian of the sovereign and of the kingdom. Sire Thomas Randolfe, and Sire Johan de Meneteth, chivalers d'Escoce, had a safe conduct to come into England, to the presence of Edward II., 23d November 1316. After the death of Edward Bruce, a second act of settlement of the crown of Scotland was made at Perth, December 1318, by which the offices of tutor or curator of the heir, if under age, and guardian of the kingdom, were granted to Thomas Randolph, Earl of Moray, and, failing him, to

Robertson's Index, App. 7, 9.

Fœdera, III. 582.

* This charter is the basis of the Essay on Honour and Dignity, by Lord Kames. From the tenor, it appears that Thomas Ranulph was not formerly an Earl; for, in the beginning, he is stiled miles, without any addition; that the lands were not formerly an earldom, for in the beginning they are called the King's lands in Moray; that immediately after the clause of erection, the lands are called Comitatus, and Thomas Ranulph is called Comes. The charter has no date, but is supposed to have been granted in 1312. Suth. Add. Case, iv. 48.

Moray.

Dalr. Ann. II. 102, 124, 130, 132, 149, 161.

Lord James of Douglas. Randolph and Douglas commanded the Scots army that invaded England, 1319, and routed the English at Mitton, near Boroughbridge. The Earl of Moray signed the letter to the Pope, 1320, asserting the independency of Scotland; and, under the designation of Thomas Randolf, Earl of Moray, and Lord of Annandale, entered into negotiations with the Earl of Lancaster against Edward II., 1321. He was one of the commissioners for a treaty with England, and had a safe conduct into that kingdom, 29th April and 1st June 1323. The same year, the Earl of Moray went to Avignon, waited on the Pope, and, with consummate political skill, drew from the Pontiff an acknowledgment of the title of King to Bruce. The Earl was sent ambassador from the King of Scots, and concluded an alliance, offensive and defensive, with Charles le Bel, King of France, at Corbeuil, April 1326. He commanded the army that invaded England, in July 1327, and foiled Edward III. by a masterly retreat into Scotland. On the death of Robert I., 1329, the Earl of Moray assumed the office of Regent of Scotland, and guardian of David II.; indefatigable in the discharge of the duties of his station, he secured the public tranquillity by wise ordinances, and distributed speedy and severe justice. The English preparing to invade Scotland, 1332, the Earl assembled an army, and, amidst the excruciating pains of a confirmed stone, ceased not to exert himself with activity and vigilance; but died on the march, at Musselburgh, 20th July 1332 *; a man to be remembered, while integrity, prudence, and valour are held in esteem among men.

Fœdera, III. 924, 1017, 1091.

A. Stuart, 49.

This great man married Isabel, only daughter of Sir John Stewart of Bonkyl, with whom he got the barony of Garlies, and by her had issue,

1. *Thomas*, second Earl of Moray.
2. *John*, third Earl of Moray.

Daughter, Lady *Agnes*, married to Patrick, ninth Earl of Dunbar and March, who, in her right, became Earl of Moray.

* The story of his being poisoned by a vagrant English monk, is exploded by Lord Hales. An engraving of the house in which he died, at the east end of Musselburgh, is inserted in the statistical account of that parish.

IV. Thomas, second Earl of Moray, the eldest son, succeeded his father, 20th July 1332, and enjoyed the title only twenty-three days; he had a chief command in the army under the Earl of Marr, Regent of Scotland, at Duplin, 12th August 1332; the English advancing to attack them, the Earl of Moray, at the first alarm, hastened with a party to oppose the enemy. Being gallantly seconded by the Earl of Menteth, Alexander Fraser, and Robert Bruce, a natural son of Robert I., he checked the English impetuosity, and maintained the combat upon equal terms. But the Regent and the whole multitude rushing to battle without order or discipline, at once overwhelmed the Earl of Moray and his brave companions, who lost their lives that day. Dying unmarried, the title devolved on his brother,

Moray.

Dalr. Ann. II. 166.

IV. John, third Earl of Moray, who though a very young man, immediately took arms on behalf of David II., and surprised and defeated Baliol at Annan in December 1332. He commanded the first body of the Scotish army at the battle of Halidonhill, 19th July 1333, but, on account of his youth and inexperience, James Fraser and Simon Fraser, two soldiers of approved reputation, were joined with him in that command. The two Frasers were killed, but the Earl of Moray was one of the few who escaped the carnage of that disastrous day. He now retired into France, but returned to Scotland 1334, when the Scots acknowledged him and the high steward regents of Scotland. He forced Count Guy of Namur and a body of foreign auxiliaries, in the service of Edward III., to surrender in August 1335, but escorting the Count to the borders, he was attacked by William de Pressen, warden of Jedburgh, and made prisoner. He was sent to England, and confined at Nottingham and in the Tower of London. A warrant was issued for his liberation, 18th July 1340, on giving hostages to return by Michaelmas. He was ordered to be removed to Windsor Castle, 25th October 1340, had a protection to go beyond seas with twenty men and horse in his retinue, 8th February 1341. A safe conduct was granted to him returning from France,

Ibid. 182.

Fœdera, IV. 660. V. 197. 213, 224, 250, 262, 268.

Moray.

20th May 1341, another to go to Scotland for a few days, 1st July 1341, and a third to him returning from Scotland, 20th July 1341. The same year he was exchanged for the Earl of Salisbury, a prisoner with the French. He invaded England in February 1342, David II. serving as a volunteer under him. A safe conduct was granted, 22d February 1342, to the Earl of Moray to pass through England to France. He accompanied David II. in his unfortunate expedition to England 1346. At the fatal battle of Durham, 17th October 1346, the Earl of Moray commanded the right wing of the Scotish army, and was killed at the first attack of the English, which brought on the ruin of the centre, and lost the day. He married his cousin, Isabel, only daughter of Sir Alexander Stewart of Bonkyl, relict of Donald, Earl of Marr, Regent of Scotland, killed at Duplin 1332, but by her had no issue. According to the terms of the before recited charter, the earldom of Moray should have reverted to the crown, the heirs male of the body of the first Earl having failed; but it was assumed by Agnes, Countess of Dunbar and March, the heir of line.

Moray.

Dalr. Ann. II. 200.

Fœdera, V. 300.

DUNBAR, EARL OF MORAY.

I. Lady Agnes Randolph, the heroic daughter of the noble Regent, having married Patrick, ninth Earl of Dunbar and March, on the death of her brother, 1347, assumed the title of Countess of Moray, and her husband, in her right, that of Earl, and entered into possession of the extensive property of the family, the earldom of Moray, the Isle of Man, the lordship of Annandale, the baronies of Morton, Mordington, Longformacus, Dunse, Mochrum, Cumnock, and Blantyre. Patrick, Earl of Dunbar, March, and Moray, died about 1369, leaving two sons,

1. *George*, tenth Earl of Dunbar and March.

2. *John*, Earl of Moray.

II. John Dunbar, the second son, obtained from King Robert II. a charter, dilecto filio nostro Joanni de Dunbarr, et Marjoriæ, sponsæ suæ, filiæ nostræ carissimæ, of the whole earldom of Moray, except the lordship and lands of Lochaber, and Badenach, and castle of Urquhart, and the great customs of the earldom, to them and the longest liver of them, and the heirs legitimately procreated or to be procreated betwixt them, which failing, to George de Dunbarr, Earl of March, and his legitimate heirs whatsoever, 9th March 1371-2. They had a charter of the King's lands of the thanage of Kyntor, with the same remainders, 26th August 1375; and he had a grant of a pension of L. 100 Sterling out of the customs of Elgin and Forres, and of L. 100 Sterling out of the customs of Aberdeen, from King Robert II. In the first year of Robert III., he obtained the eschaet of the baronies of Deskford and Findlater, and L. 20 Sterling yearly out of the great customs of Inverness. John de Dunbarre, Comes de Murref, had a safe conduct to England with fifty attendants on horseback, 15th December 1381, was one of the commissioners sent to endeavour to get Scotland included in the treaty betwixt England and France, 1384, had 1000 francs for his share of the money brought by John de Vienne, admiral of France, 1385, was engaged in the battle of Otterburn 1388, and was one of the guarantees of a treaty with the English, 16th July 1390. He was killed at a tourney with the Earl Marshal of England, 1394.

Reg. Mag. Sig. 88, 140.

Robertson's Index, 133, 151.

Fœdera, VII. 338, 434, 485, 683.

Pinkerton, I. 182.

He married Marjory, eldest daughter of King Robert II., for which a papal dispen-

Moray. A. Stuart, 439.

sation was obtained, 11th July 1370, permitting them to marry, notwithstanding they were related in the fourth degree of consanguinity. They had issue,

1. *Thomas*, second Earl of Moray.

2. *Alexander* Dunbar of Frendraught.

Daughter, Lady *Mabella*, married to Robert, sixth Earl of Sutherland.

Fordun, II. 435.

III. THOMAS, second Earl of MORAY, the eldest son, was one of the prisoners taken at the battle of Homildon, 14th September 1402. *He* was father *of*,

Fœdera, X. 125, 309, 327, 348.

IV. THOMAS, third Earl of MORAY, who was one of the hostages for the return of King James I. when he was permitted to visit Scotland, 31st May 1421, also for his ransom, nominated by the treaty of 13th December 1423, when his annual revenue was estimated at 1000 marks. *He* had a safe conduct to Durham to meet the King; and was delivered up to the English, 28th March 1424. He was released 16th July 1425, when another hostage was substituted in his place. *It* is said he had a daughter, Lady *Janet* Dunbar, married, contract dated 9th August 1422, to Hugh, Lord Fraser of Lovat; but this seems doubtful, as the title devolved on the son of his uncle.

Lovat Case, 21.

Pitscottie, 41.

III. ALEXANDER DUNBAR of Frendraught, who married Mauld Fraser, and was father of,

Fœdera, X. 328, 381.

IV. JAMES de DUNBAR, Dominus de Frendrath, who was one of the supplementary hostages for James I., delivered up to the English 28th March 1424, when his annual revenue was estimated at 500 marks, and he was liberated 9th November 1427. He succeeded his cousin in the earldom of Moray, and died about 1430. He married Lady Janet Gordon, eldest daughter of Alexander, first Earl of Huntly, by whom he had two daughters*.

* Sir Alexander Dunbar of Westfield, sheriff of Moray, was son of James, Earl of Moray, by Isabel, daughter of Sir Walter Innes of Innes, his second cousin, who died before a papal dispensation for their marriage could be obtained. The descent of that family is inserted in Douglas's Baronage, 118 to 123.

1. Lady *Janet*, married to James, second Lord Crichton; she was alive in 1493, when she resigned the barony of Frendraught in favour of her grandson, Sir James Crichton. She is designed Janeta, Comitissa Moraviæ Domina Frendraught et Crichton, 1454, and, it appears, took to her second husband John Sutherland, as a charter of 17th January 1458-9 was witnessed by John Sutherland, husband of Janet, Countess of Moray.

Moray.

Chartul. of Dunferm. Suth. Add. Case, vi. 81. N.

2. Lady *Mary*, married to Archibald, third son of James, seventh Earl of Douglas. Her husband obtained the earldom of Moray, to the prejudice of the husband of the elder daughter. Archibald, Earl of Moray, was one of the conservators of a truce with England, November 1449, again 14th August 1451, and 23d May 1453. Archibald de Douglas, Earl of Murrawe, had a safe conduct to pass through England with his brother William, Earl of Douglas, 12th May 1451. After the murder of the Earl of Douglas in 1452, the Earl of Moray flew to arms, and burnt the town of Stirling. He had a safe conduct to pass through England on his way to Rome with his brother James, Earl of Douglas, 2d May 1453. The Earl of Moray endeavoured to excite a rebellion in the north 1454, but was obliged to take shelter in the Hebudes, from whence he proceeded to the south, to join his brother the Earl of Douglas, in arms against the the King. He fell in an action with the forces of James II., at Arkinholm in Dumfries-shire, 1st May 1455. Archibaldus pretensus Comes Moraviæ, was attainted for fortifying the castles of Lochindore and Tarnau against the King and laws, and other acts of treason, 12th June 1455, whereby the earldom of Moray became vested in the crown.

Fœdera, XI. 253, 283, 300, 326, 334.

Pinkerton, I. 231. Appx. 491.

STEWART, EARL OF MORAY.

Moray.

THE earldom of Moray was conferred by King James IV. on his natural son, by Janet, daughter of John, Lord Kennedy, JAMES STEWART, by charter dated 20th June 1501, to him and the heirs male of his body. He returned home from France in 1519, when Dacre wrote to Wolsey, he is a springeold (fine youth) of twenty years of age. In the great seal register is a charter of the lands of Neyer Loudoun, with the tower and fortalice of Steveustoun in Ayrshire, dated 7th December 1524, sorori regis Margaretæ Douglas, filiæ matris regis, et hæredibus inter ipsam et Jacobum Moraviæ comitem, de eorum corporibus procreandis, which failing, to the said James, Earl of Moray, on his own resignation. The marriage thus provided for with Lady Margaret Douglas did not take place. Charters were granted Jacobo, Comiti Moraviæ, fratri Regis et consiliario, and the legitimate heirs of his body, which failing, to Janet Kennedy, Lady Bothwell, of Priestwickschawis in Ayrshire, on her resignation, 16th December 1524; to James, Earl of Moray, brother of the King, of the third part of Duffous, and the lands of Pettindreth, Caldcotts, Darcle, and Fereston, in the county of Elgin, forfeited by the Earl of Angus, 6th September 1528; and to James, Earl of Moray, and *Isobel* Campbell his wife, and the heirs to be procreated betwixt them, of Cookstoun, Longbride, Brauchlay, Kintree, &c. in the earldom of Moray, 24th August 1529. The same year he was one of the commissioners for treating of peace with the English. Charters were granted to James, Earl of Moray, brother of the King, and Elisabeth Campbell his wife, of the lands of Halton of Lanbride, in the shire of Elgin, 22d November 1530; to James, Earl of Moray, and the heirs male of his body, which failing, to return to the King, of all and whole the King's lands of the earldom of Orkney and Zetland, 26th January 1530-1; and to him of the barony of Strathern, in the county of Inverness, in 1532. The same year the Earl of Moray held the office of lieutenant-general of the kingdom, and in 1535, proceeded to France on an embassy to negotiate the marriage of James V. Charters were granted to James, Earl of Moray, brother of the King, of a third of Duffous, and Pittindreth, and other lands in the earldom of Moray, forfeited by George Douglas, brother of Archibald, Earl of Angus, and Elisabeth Douglas his wife, 4th April 1538; and to James, Earl of Moray, and Elisabeth Campbell his wife, of the lands of Balnageith, in the county of Elgin, 7th January 1542-3. He married Lady Elisabeth Campbell, only daughter of Colin, third Earl of Argyll, and by her, who took to her second husband John, tenth Earl of Sutherland, had one daughter, Lady *Mary*, married to John, Master of Buchan, without issue; and the Earl of Moray dying without issue male, 12th June 1544, his earldom reverted to the crown, and was conferred on George, Earl of Huntly, high chancellor of Scotland, his heirs and assigns, by charter dated 13th February 1548-9.

Moray.

MS. in Bibl. Jurid.

Pinkerton, II. 178.

Mag. Sig. L. xx. No. 126.

L. xx. No. 117. L. xxii. No. 175. L. xxiii. No. 62.

Mag. Sig. L. xxiv. No. 8, 25, 195.

L. xxvi. No. 106. L. xxviii. No. 394.

Gordon's Hist. II. 420.

STEWART, EARL OF MORAY.

Moray.

Robertson, passim. Sutherland Add. Case, vi. 100. Scotish Poems of the Sixteenth Century, Vol. I. &c.

JAMES STEWART, natural son of King James V., by Margaret, daughter of John, fifth Earl of Marr, afterwards married to Sir Robert Douglas of Lochleven, born 1533, was constituted Prior of St Andrews 1538, repulsed the English in a descent on the coast of Fife, June 1548, was contracted to Christian, Countess of Buchan, 16th January 1549-50, was at Paris 1552, obtained the priory of Mascon in France, and a papal dispensation to hold three benefices, notwithstanding his illegitimacy, 1555. He made an irruption into England, July 1557, was one of the commissioners appointed by parliament to witness the marriage of Queen Mary and Francis, Dauphin of France, 1558. At the first dawn of the reformation, he adhered to the party of the Queen Regent, but provoked at her insincerity and disregard of treaties, joined the lords of the congregation, 1559, and soon became the leader of that party, possessing military virtue and political discernment in an eminent degree. To the most unquestionable personal bravery, he added great skill in war, and in every enterprise his arms were crowned with success. His sagacity and penetration in civil affairs enabled him, amidst the turbulence of factions, to hold a prosperous course, while his boldness in defence of the reformation, together with the decency and even severity of his manners, secured him the reputation of being sincerely attached to religion, without which, it was impossible in that age to gain an ascendant over mankind.

He was sent to France in March 1561 to invite Queen Mary to return home, was received by her with confidence and affection, and she set out for Scotland soon after. He was sworn one of her privy-council, possessed the power of prime minister, and was appointed lieutenant of the borders. The earldom of Moray was taken from Huntly, and granted to him and the heirs male of his body lawfully to be procreated, 30th January 1561-2; and, on the 7th of February following, the earldom of Marr was granted to him with the same limitations. For some political reasons, the Queen thought fit that he should bear the title of Marr rather than that of Moray, and therefore she added to the last grant this clause, ac similiter facimus et creamus dictum Jacobum, fratrem nostrum, et hæredes suos masculos, comites, omnibus temporibus futuris de Marr vocandos, ac dando eis honorem, dignitatem, locum, et votum in parliamento. The earldom of Marr was soon after restored by Queen Mary, per modum justitiæ, to Lord Erskine; upon this the Prior of St Andrews reassumed the title of Earl of Moray, conferred on him by the charter of 30th January 1561-2. By his steady courage and prudent conduct he defeated the Earl of Huntly at Corrichie, 28th October 1562. He warmly opposed the marriage of the Queen with Darnley, 1565, and entered into measures for seizing Darnley and sending him to England. After the marriage Moray was summoned to appear, and on his refusal, was denounced an outlaw. He took arms, but was soon obliged to retire to England. The conspirators against Rizio invited Moray to return home, and he arrived at Edinburgh, 10th March 1566, the day after the assassination of that foreigner. He was graciously received by the Queen, who succeeded in detaching him from the conspirators, who were forced to fly, and Moray and his associates were pardoned. After the murder of Darnley, the Earl of Moray requested the Queen's permission to remain five years abroad, and went in April 1567 to France, from whence he soon hastened home, and arrived in Scotland about the 10th of August same year, when he found the Queen a prisoner in Lochleven, a resignation of the throne executed, and a nomination of himself as regent made. He visited Mary in her prison, when he expostulated so warmly with her concerning her past conduct, and charged her faults so home upon her, that she burst into tears

Moray.

Moray. and abandoned herself to despair. He accepted of the regency, 22d August 1567; defeated the Queen's forces at Langside, 13th May 1568; and the same year went to England, and accused her of the murder of Lord Darnley. He returned to Scotland, in February 1569; and, by his vigorous conduct, broke the party of Mary, under the Duke of Chatelherault. He fell a victim to the revenge of Hamilton of Bothwellhaugh, by whom he was assassinated at Linlithgow, on the 21st of January 1569-70, in the 37th year of his age*; and he was buried in St Giles's Church, Edinburgh, where his monument still remains, thus inscribed: Pietas sine vindice luget, jus exarmatum est, 23 January 1570. Jacobo Stewart, Moraviæ Comiti, Scotiæ proregi, viro ætatis suæ longe optimo, ab inimicis omnis memoriæ deterrimis ex insidiis extincto, seu patri communi patria mœrens posuit.

Personal intrepidity, military skill, sagacity, and vigour in the administration of civil affairs, are virtues, which even his enemies allow him to have possessed in an eminent degree. In a fierce age he was capable of using victory with humanity, and of treating the vanquished with moderation. A patron of learning; zealous for religion, to a degree which distinguished him even at a time when professions of that kind were not uncommon. His confidence in his friends was extreme, and inferior only to his liberality towards them, which knew no bounds. His treatment of Mary, to whose bounty he was so much indebted, was unbrotherly and ungrateful. Amidst the turbulence and confusion of the period of his regency, he dispensed justice with so much impartiality, he repressed the licentious borderers with so much courage, and established such uncommon order and tranquillity in the country, that his administration was extremely popular, and he was long and affectionately remembered among the commons, by the name of The Good Regent.

He married, in February 1561, Lady Anne Keith, eldest daughter of William, fourth Earl Marischal; and by her, who married, secondly, Colin, sixth Earl of Argyll †, had two daughters,

1. Lady *Elisabeth*, married to James Stewart, son of James, Lord Doun.

2. Lady *Margaret*, married to Francis, ninth Earl of Errol, without issue.

The Earl of Moray, on his own resignation, obtained a charter of the earldom of Moray, 22d January 1563-4, to him and the heirs male of his body legitimately procreated or to be procreated, which failing, to return to the crown; and another, also on his own resignation, 1st June 1566, of the earldom, to himself and his wife, and the longest liver of them, and the heirs legitimately procreated or to be procreated betwixt them; which failing, legitimis et propinquioribus heredibus seu assignatis quibuscunque. In the parliament, 19th April 1567, the Earl of Moray obtained a ratification of the charter, 22d January 1563-4; but making no mention of the intermediate charter of 1st June 1566. Why he should have relinquished the charter, 1566, it is impossible to determine; it certainly gave his descendants a more ample right than the charters 1561-2 and 1563-4 did; and, on the footing of these two charters, and the parliamentary ratification, 1567, it is plain that both the estate and the dignity of the earldom reverted to the crown, in default of heirs male of the Regent's body. In 1580, King James VI. made a gift to James Stewart, son and heir of Sir James Stewart of Doun, of the ward and marriage of the two daughters of the Regent Moray; a few days afterwards James Stewart married Lady Elisabeth, the eldest of these two daughters, and immediately assumed the title of Earl of Moray, perhaps considering the charter, 1566, as the latest title of the family, and as sufficient to convey the dignity to his wife. King James VI., and his parliament, in 1592, ratified to their son, James, Earl of Moray, the charter by our sovereign lord's umquhile father and mother, to umquhile James, Earl of Moray, first regent to our

Suth. Add. Case, vi. 101.

* The gun with which Bothwellhaugh committed the murder, is in the possession of General Hamilton of Orbistoun.

† A charter of the lands of Dunkintie was granted, 25th July 1582, to Lady Anne Keith, Countess of Moray and Argyll, and Elisabeth Stewart, Countess of Moray, her daughter. Mag. Sig. L. xxxv. No. 572.

Moray. sovereign lord, and gudsire, to the said James, now Earl of Moray, umquhile Dame Agnes Keith, his spouse, and to the said umquhile Earl's heirs, therein designed, of the earldom of Moray, dated 1st June 1566; and all other charters or infeftments granted or given to the said umquhile James, Earl of Moray, Regent aforesaid, and to umquhile Dame Elisabeth Stewart, Countess of Moray, his lawful daughter, and mother of the said James, now Earl of Moray. This ratification rendered the succession of the family of Moray utterly inexplicable: the charter, 1566, to heirs general was confirmed; but, at the same time, the other charters, limited to the heirs male of the body of the Regent Moray, were also confirmed. It is probable that this irreconcileable diversity in the destination of succession was immediately discovered, for James, Earl of Moray, made no delay in obtaining a charter of the earldom of Moray, limiting the succession to heirs male.

James, Earl of Moray, derived his descent from

D. Stewart, 122. I. Sir JAMES STEWART of Beath, third son of Andrew, Lord Avandale, brother of Andrew, Lord Avandale, and Henry, Lord Methven, husband of Queen Margaret. He was gentleman of the bedchamber to King James V., lieutenant of his guards, constable of the castle of Doun, and steward of Menteth and Strathgartney. Charters were granted to James Stewart, brother of Lord Avandale, of the custody of the castle of Doun, and forest of Glenfinglas, 14th July 1528; of Tracquare, apprised at the instance of Queen Margaret, 14th July 1529; of the King's lands of Callintogill, in the lordship of Menteth, 22d October 1529; of the custody of the castle of Doun, and dominical lands thereof, 2d February 1531-2, to James Stewart, brother of Andrew, Lord Ochiltree, and to Margaret Lindsay, Lady Innermeath, his wife, of Killorie, in Fife; Dudingston, in the shire of Linlithgow, and Cramond Mill and Clairbarstoun, in the county of Edinburgh, from Richard, abbot of the monastery of St Columba, 10th March 1543-4; and to them, of the barony of Beath, in Fife, from the same abbot, 27th April 1543.

Mag. Sig. L. xxii. No. 129. L. xxiii. No. 105, 116, 208. L. xxiv. No. 151. L. xxix. No. 10.

Sir James Stewart of Beath was killed at Dunblane, on Whitsunday 1547, by Edmonstone of Duntreath, and his brothers, out of resentment for the office of steward of Menteth, formerly in their family, having been conferred on him. He married Margaret, eldest daughter of John, third Lord Lindsay of Byres, relict of Richard, third Lord Innermeath, and had issue, Moray.

1. *James.*

2. *Archibald* Stewart of Burray, who died without issue.

3. *Henry* Stewart of Buchlivie, who had charters to Henry Stewart, brother-german of James, commendator of St Columba, of the ecclesiastical lands of Dalgethe, 6th August 1559; and to Henry Stewart, son of Sir James Stewart of Doun, knight, of Emyrtreidan and Croftintarrie, in Perthshire, 19th September 1576. His son, James Stewart of Burray, died in February 1632, leaving an only daughter, who carried the estate of Burray to her husband, William Stewart of Mains, brother of the first Earl of Galloway. Mag. Sig. L. xxxiv. No. 326, 365.

Daughter, *Elisabeth*, married to Robert Crichton of Cluny, advocate to Queen Mary, and was mother of James Crichton, commonly called the Admirable Crichton.

II. Sir JAMES STEWART of Doun, the eldest son, was commendator of St Columba, and served heir of his father, Sir James Stewart, brother of Lord Avandale, 8th July 1560. He joined the lords of the congregation that year, and was, in 1561, sent on a negotiation to France. A charter was granted to James Stewart of Doun, son of Sir James Stewart of Beith, and to Margaret Campbell, his wife, of Cammes, in Strathern; the custody of the castle of Doun, and other lands, 6th March 1563-4. He was knighted when Lord Darnley was created Earl of Ross, 15th May 1565, and had a charter of Ballachallan, Inneraloun, and other lands, in the counties of Perth and Stirling, 25th May 1565, Domino Jacobo Stewart de Doun, equiti aurato, et Dominæ Margaretæ Campbell, sponsæ suæ, et hæredibus masculis inter ipsos legitime procreatis seu procreandis; quibus deficientibus, hæredibus masculis dicti Domini Jacobi, quibuscunque. King James VI. appointed him a privy-council- L. xxxii. No. 374, 384, 465. Lovat Case, 3. Mag. Sig. L. xxxv. No. 748, 794.

Moray. lor, and raised him to the dignity of the peerage, by the title of Lord Doun, 24th November 1581, when certain lands were erected into a lordship, in favour of him, his heirs and successors, specified in the infeftments thereof; the lands were chiefly to his father and his heirs male; which failing, to the eldest of his heirs female without division. The narration of this creation bears, among other motives, that the King had a respect that Sir James was descended of his own blood. He was appointed collector-general of his Majesty's revenues; was constituted an extraordinary lord of session, 23d January 1583; and held that office till 27th January 1585. James, Lord Doun, and Margaret Campbell, his wife, had a charter of Wester Argathie, Frews, &c. erected into the lordship of Doun, with the title of a baron and lord, 6th January 1587-8. He died 20th July 1590.

Mag. Sig. L. xxxvii. No. 234.

By Lady Margaret Campbell, his wife, eldest daughter of Archibald, fourth Earl of Argyll, he had issue,

1. *James.*

2. *Henry*, Lord St Colme; see that title.

1. *Anne*, married to Sir John Wemyss of Wemyss, and had issue.

2. *Jean*, married, in 1590, to Simon, seventh Lord Lovat, and had issue.

III. JAMES STEWART, the eldest son, having, as already mentioned, got from King James VI. a gift of the ward and marriage of the two daughters of the Regent Moray, married the eldest daughter, Lady Elisabeth Stewart, in 1580, and immediately assumed the title of Earl of Moray. This peer is known in history by the appellation of the Bonny Earl of Moray, and was much in the good graces of Anne of Denmark, who, a few days before his murder, commended him, in the King's hearing, with too many epithets of a proper and gallant man. His hereditary enemy, the Earl of Huntly, having obtained a commission from the King to pursue Bothwell and his associates, Huntly, on the 7th of February 1591-2, on pretence that Moray had been engaged with Bothwell, invested the house of Dunibirsel, and set it on fire. Dunbar, sheriff of Moray, who was in the house at the time, said to the Earl of Moray, I will go out at the gate before your Lordship, and you shall come out after me. Dunbar, accordingly, came forth, and ran desperately on Huntly's men, by whom he was presently slain. During this, the Earl of Moray came out, and retreated among the rocks on the seaside; but, unfortunately, his knapscull tippet, whereon was a silk string, had taken fire, which betrayed him to his enemies in the darkness of the night, himself not knowing the same, they came down on him on a sudden, and cruelly murdered him. A proclamation was issued, 18th March, that the young Earl of Moray should not pursue Huntly for that murder, in respect he was warded in Blackness, and willing to abide a trial, saying, he did nothing but by his Majesty's commission*.

Moray. Birrel's Diary, 26.

The Earl of Moray, by his wife, Lady Elisabeth Stewart, eldest daughter of the Regent Moray, who died 18th November 1591, had issue,

1. *James*, second Earl of Moray.

2. The Hon. Sir *Francis* Stewart, knight of the Bath, a learned gentleman, one of Sir Walter Raleigh's club at the Mermaid, in Friday Street, London.

Wood's Fasti Oxon. I. 824.

1. Lady *Margaret*, who was naturalized in England on the accession of King James I.; and in September 1603, became the second wife of Charles (Howard), Earl of Nottingham, lord high-admiral of England, then in his 68th year †, her eldest son, Charles, born 25th December 1606, succeeded his half-brother as Earl of Nottingham, 1641. She married, secondly, William, Viscount Monson of Ireland, and had by him a son, Stewart, born 31st March 1628, and died 8th April following. She died in Common-Garden, London, 4th August 1639, and was buried at Chelsea, on the 19th of that month.

Lysons.

* 19th July 1595, James, Laird of Indermarchie, and his servant, beheaded as partakers of the murder of the Earl of Moray, and Patrick Dunbar, 1591. Birrel's Diary, 34. A remission passed the great seal, 18th March 1592-3, to James Gordon, apparent of Lesmoir, pro arte et parte proditoriæ loci de Dunybersill combustionis, et murthuri quondam Jacobi, Comitis Moraviæ. Mag. Sig. L. xxxviii. No. 355.

† His droll address to King James VI., the day after his marriage, is noticed in a letter from Lord Cecil to the Earl of Shrewsbury. Lodge, III. 187.

Moray.

2. Lady *Mary*, married to John, eighth Lord Abernethy of Salton.

3. Lady *Grizel*, married to Sir Robert Innes of Innes.

Gordon's Hist. Gordons, II. 98.

IV. JAMES, second Earl of MORAY, the eldest son, by the King's special mediation and appointment, was reconciled to his father's murderer, the Marquis of Huntly, in 1601, and married to Lady Anne Gordon, his daughter. The King's care and prudence, in this matter, was much approved, and highly commended by the people, as the animosities betwixt the two families, which had occasioned much bloodshed, was thereby put an end to. The Earl of Moray accompanied King James VI. to London, on his accession to the English throne, 1603; and got a new investiture of the whole earldom of Moray, to him and the heirs male of his body; which failing, to Sir Francis, his brother, and the heirs male of his body, &c. 17th April 1611. He had charters of Fintray, in Aberdeenshire, 16th July 1618; of Harperfield, in the county of Elgin, 24th February 1620; of the lordship of St Colme, 26th February 1620; of Cambusbeg, and the patronage of the precentory of Moray, 6th March 1624; and dying at Darnaway, 6th August 1638, was buried next day at the church of Dyke, without any pomp, according to his own directions. By Lady Anne Gordon, his wife, eldest daughter of George, first Marquis of Huntly, he had a son,

Spottiswoode, 476.

Mag. Sig. L. xlviii. No. 383.

L. xlix. Nd 130, 368, 373. L. l. No. 344.

James, third Earl of Moray;—and a daughter,

Lady *Margaret*, married, in 1640, to Sir James Grant of Grant, and had issue.

V. JAMES, third Earl of MORAY, the only son, succeeded his father, 1638; had a charter of the castle of Spynie, 12th November 1641; was a royalist, but kept himself retired in the country during the civil wars. He died 4th March 1653, when he had sold and bargained for a great part of his estate; his son fell sick, and could not come to his burial, which was 22d March. He married Lady Margaret Home, eldest of the two daughters of Alexander, first Earl of Home, coheir, with her sister Anne, Duchess of Lauderdale, of her brother James, second Earl of Home, and by her had issue,

L. lvii. No. 54.

Brodie's Diary, 29.

1. *James*, Lord Doun, who died before his father, unmarried.

2. *Alexander*, fourth Earl of Moray.

3. Hon. *Francis* Stewart of Culalay, who died without issue.

4. Hon. *Archibald* Stuart of Duncarn, in Fife, who married a daughter of Sir John Henderson of Fordel, and had Charles; Alexander, a lieutenant in the guards, who died without issue; Margaret, married, first, to Sir Archibald Stewart of Burray; secondly, to David, fourth Lord Lindores; Elisabeth, married to Andrew Gillon of Walhouse; Emilia, married to Archibald Nisbet of Carfin. Charles Stuart of Duncarn, the eldest son, married, first, a daughter of Sir William Bennet of Grubbet, baronet, by whom he had Alexander Stuart of Duncarn, well known for his valuable collection of pictures and books, who died without issue; secondly, Jean, daughter of Alexander Hamilton of Dalzell, by whom he had Archibald, who died in his 24th year; James; Anne, married to Robert Blackwood of Pitreavie; Mary, married to the Hon. Colonel John Erskine of Carnock; Jean, married to William Hog, merchant in Edinburgh; and Bethia, married to Archibald Wallace, merchant in Edinburgh. James Stuart, the son, was father of Charles Stuart of Dunearn, M. D. whose eldest son, James Stuart of Dunearn, W. S. married, 29th April 1802, Eleonora Maria Anna, only daughter of Robert Moubray of Cockairney, M. D.

1. Lady *Mary*, married, 13th May 1650, to Archibald, ninth Earl of Argyll, and was mother of the first Duke of Argyll.

2. Lady *Margaret*, married to Alexander, first Lord Duffus, and had issue.

3. Lady *Henriet*, married to Sir Hugh Campbell of Calder.

4. Lady *Anne*, married, in 1666, to David Ross of Balnagowan, and died in 1719; her husband in April 1711.

VI. ALEXANDER, fourth Earl of MORAY, the eldest son, succeeded his father, 1653, and had a fine of L.3500 imposed on him by Cromwell's act of grace and indemnity, 1654. He was admitted one of the lords of the treasury, 27th September

Moray. 1678, was appointed secretary of state in room of the Duke of Lauderdale, 2d November 1680, and an extraordinary lord of session on the 19th of same month. He had the high office of commissioner to the parliament of Scotland, 1686, was invested with the order of the Thistle, 1687, deprived of all his employments at the revolution, and retired to his country seat of Dunibirsel, where he quietly resided till his death, 1st November 1700. He married Emilia, daughter of Sir William Balfour of Pitcullo, lieutenant of the Tower of London, and had four sons,

1. *James*, Lord Doun, who died 1685, he married Lady Catherine Talmash, daughter of the Duchess of Lauderdale, and by her, who married, secondly, John, fifteenth Earl of Sutherland, had two daughters: 1. Elisabeth, married to Alexander Grant of Grant, without issue; 2. Emilia, married, first, to Thomas Fraser of Strichen, and had three sons, one of them, Alexander Fraser of Strichen, a lord of session and justiciary, and general of the mint; secondly, to John, sixteenth Earl of Crawford, and was mother of the gallant Earl.

2. *Charles*, seventh Earl of Moray.

3. Hon. *John* Stuart, who died without issue.

4. *Francis*, eighth Earl of Murray.

VII. CHARLES, fifth Earl of MORAY, the eldest surviving son, was created a baronet, 23d September 1681, succeeded his father 1700, and died at Dunibirsel, 7th October 1735, in the 76th year of his age. He married Lady Anne Campbell, eldest daughter of Archibald, Earl of Argyll, executed 1685, dowager of Richard, fourth Earl of Lauderdale; she died without issue, 18th September 1734, in her 76th year. His brother,

Mag. Sig. L. lxviii. No. 152.

VII. FRANCIS, sixth Earl of MORAY, born about 1673, was one of those summoned to surrender on suspicion of disaffection during the rebellion 1715, succeeded his brother 1735, and died at Dunibirsel, 11th December 1739, in the 66th year of his age, leaving the character of a nobleman of great learning and honour. He married, first, Elisabeth, only daughter of the Hon. Sir John Murray of Drumcairn, a lord of session from 1681 to the revolution, 1689, fourth son of Andrew, Lord Balvaird, and brother of the fourth Viscount of Stormont, by whom he had no surviving issue; secondly, Jean, second daughter of John, fourth Lord Balmerino, and by her, who died at Dunibirsel, 13th May 1739, had five sons and two daughters,

Moray.

1. *James*, seventh Earl of Moray.

2. Hon. General *John* Stuart of Pittendriech, who was chosen Member of Parliament for the boroughs of Crail, &c. 1741, he got a company in the 54th foot, Lord Louduon's Highlanders, 8th June 1745, was taken prisoner at the battle of Preston same year, made lieutenant-colonel of Lord Drumlanrig's regiment, in the service of the States of Holland, 1747, had afterwards the command of a regiment in the same service, and died, unmarried, at Musselburgh, 13th August 1796, in the 88th year of his age.

3. Hon. *Francis* Stuart of Pittendriech, who died lieutenant-colonel of the 4th regiment of horse in Germany, 28th August 1760. He married, first, 4th January 1745, Lady Helen Montgomery, sixth daughter of Alexander, ninth Earl of Eglintoun, and by her, who died at Edinburgh, 14th January 1747, had one son, Francis, a gentleman of very high reputation, who died unmarried at Rheims in Champagne in 1766, in his 21st year. His second wife died at Hedgerley in Buckinghamshire, 13th February 1784; they had a daughter, married 1st November 1783, at St Margaret's Westminster, to the Right Rev. Thomas Lewis Obeirne, D. D. lord bishop of Meath.

4. Hon. *Archibald* Stuart, who was appointed a captain of the royal navy, 20th February 1745, and died in Harley Street, London, 20th February 1795.

5. Hon. *Henry* Stewart, major of a regiment of dragoons, who died in Germany.

1. Lady *Anne*, married to John Stewart of Blairhall, and had issue, and died at Edinburgh, 17th January 1783.

2. Lady *Amelia*, married to Sir Peter Halket of Pitfirran in Fife, Bart. M. P. killed at Fort Du Quesne in America, 9th July 1755; she had two sons, who both died unmarried before her, and she died at Inveresk, 18th May 1781.

Moray.

VIII. JAMES, seventh Earl of MORAY, the eldest son, born about 1708, succeeded his father 1739, was invested with the order of the Thistle 1741, chosen one of the sixteen representatives of the Scotish peerage at the general election 1741, rechosen 1747, 1754, and 1761, and died, at Dunibirsel, 5th July 1767, in the 59th year of his age*.

His Lordship married, first, in December 1734, Grace, daughter of George Lockhart of Carnwath, by Lady Euphemia Montgomery, second daughter of Alexander, ninth Earl of Eglinton. She was first married to John, third Earl of Aboyne, who died 1732; and she died at Darnaway, 17th November 1738, leaving by the Earl of Moray a son and a daughter,

Francis, eighth Earl of Moray.

Lady *Euphemia*, died unmarried, 3d October 1770.

His Lordship married, secondly, 24th April 1740, Lady Margaret Wemyss, second daughter of David, third Earl of Wemyss, and by her, who died at Drylaw, near Edinburgh, much regretted, 31st August 1779, had two sons,

1. Hon. *James* Stuart, born 17th April 1741, who had a company in the 20th regiment of foot, 24th February 1762, was made lieutenant-colonel of the Sutherland fencible regiment 1793, deputy-governor of Fort George, 15th January 1777, captain of a company in the 6th, or royal North British veteran battalion, 21st April 1803, and died at Fort George, 4th May 1808, æta. 68. His amiable and conciliating manners will be long remembered by the gentlemen of the army who have from time to time been stationed at Fort George, and his estimable qualities as a member of society endear his memory to all who had the happiness of being known to him.

2. Hon. *David* Stuart, born about 1745, a lieutenant of the royal navy, died, at Budley Salterton, in Devonshire, 12th June 1784, in the 39th year of his age. His widow died in Castle Street, Edinburgh, 14th October 1799; they had several children; their third son, John, captain in the East India Company's service, died at Nuggur in India, 27th June 1804.

Moray.

IX. FRANCIS, eighth Earl of MORAY, the eldest son, born 11th January 1737, N. S., completed his education by foreign travel. Dutens, speaking of the English at Turin in 1759, when the Right Hon. James Stuart Mackenzie was envoy to that court, says, "some of them were remarkable for "their diligent attention to their studies, "but these instances were rare. Lord "Moray was one of the few. He had "masters for dancing, music, Italian, "French, and for the civil law, and he "made a rapid progress in all his exercises "and studies." Succeeding his father, 1767, his Lordship commenced extensive improvements on his estates, and in that and the next year planted at Darnaway, Doun, and Dunibirsel, upwards of thirteen millions of trees, of which 1,449,660 were oaks. His Lordship was chosen one of the sixteen representatives of the Scotish peerage, at the general elections 1784 and 1790, and was created a British peer, by the title of Baron Stuart of Castle Stewart, in the county of Inverness, 28th May 1796, to him and the heirs male of his body. He was lord-lieutenant of the county of Elgin or Moray, and dying at Drumsheugh, 28th August 1810, æta. 74, was buried at Dunibirsel.

Memoirs of a Traveller now in retirement, I. 226.

His Lordship married, at Gray, 28th June 1763, Jane, eldest daughter of John, twelfth Lord Gray, and by her, who died 19th February 1786, had issue,

1. *James*, Lord Doun, who died at Bath, 11th July 1776.

2. *John*, Lord Doun, born at Edinburgh, 11th February 1768, who was chosen member of parliament for Great Bedwin, at the general election 1790, and dying unmarried, 6th July 1791, æta. 24, was buried at Dunibirsel.

3. *Francis*, ninth Earl of Moray.

4. Hon. *Archibald* Stuart, twin with Francis, born at Edinburgh, 2d February 1771, who had a cornetcy in the second regiment of dragoon guards, 4th August 1790, and is now lieutenant-colonel in the Dorsetshire local militia. He married at Milborn St Andrew, in the county of Dorset, 17th March 1793, Cornelia, youngest

* Under the act abolishing heritable jurisdictions 1747, he was allowed for the sheriffship of Moray or Elgin L. 3000, and for the stewartry of Menteith L. 1200; in all L. 4200, in full of his claim of L. 14,000.

Moray. daughter of Edmund Morton Pleydell, of Milborn St Andrew, head of one of the oldest families in England, of which was Cardinal John Morton, Archbishop of Canterbury, from 1486 to 1501; they have six sons: 1. Francis Archibald; 2. John Morton; 3. James William; 4. Edmund Lutterel; 5. Douglas Wynne; 6. George Gray.

5. Hon. *Charles* Stuart, born at Edinburgh, 1st May 1773, died under age, and unmarried.

1. Lady *Margaret*, who died unmarried at Darnaway, 2d September 1788.

2. Lady *Grace*, married, at Edinburgh, 10th July 1789, to George Douglas of Cavers, in the county of Roxburgh, and has, 1. James, born 9th October 1790; 2. Francis; 3. Jane.

3. Lady *Jane*, died young.

4. Lady *Anne*.

X. FRANCIS, ninth Earl of MORAY, the eldest surviving son, born at Edinburgh, 2d February 1771, raised an independent company of foot, which was disbanded in January 1791, and succeeded his father, 1810. His Lordship married, first, at Bellevue, 26th January 1795, Lucy, second daughter of General John Scott of Balcomie, in Fife, M. P., sister of the Duchess of Portland, and by her, who died at Tidwell House, in the county of Devon, 3d August 1798, had two sons,

1. *Francis*, Lord Doun, born 7th November 1795.

2. Hon. *John* Stuart, born 25th January 1797.

His Lordship married, secondly, at Edinburgh, 7th January 1801, his cousin, Margaret Jane, eldest daughter of Sir Philip Ainslie of Pilton, in the county of Edinburgh, knight, by Elisabeth, fifth daughter of John, twelfth Lord Gray, and has issue,

3. Hon. *Elisabeth* Stuart, born 19th November 1801, died 1802.

4. Lady *Jane* Stuart, born 30th November 1802.

5. Hon. *James* Stuart, born 17th January 1804.

6. A son, born and died 1st April 1805.

7. Lady *Margaret Jane* Stuart, born 17th September 1807.

8. Lady *Anne Grace* Stuart, born 6th March 1809. Moray.

9. Hon. *Archibald George* Stuart, born 3d March 1810.

TITLES.—Francis Stewart, Earl of Moray, Lord Doun, St Colme, and Stuart of Castle-Stewart, lord-lieutenant of the county of Moray.

CREATIONS.—Earl of Moray, 30th January 1561-2. New charter of the earldom of Moray, 17th April 1611, to James, Lovat Case then Earl of Moray, and the heirs male of 19. his body; which failing, to Sir Francis Stewart, his brother, and the heirs male of his body, &c.; which failing, to the Earl's heirs and assignees whatsoever. Lord Doun, 24th November 1581, when lands were erected into a lordship in favour of James Stewart, his heirs and successors, specified in the infeftment of lands therein referred to; the lands were chiefly to his father and his heirs male, which failing, to the eldest of his heirs female without division. Lord of St Colme, 17th March 1611, to Henry Stewart, son of James, Lord Doun, his heirs male and assigns whatever: Scotish titles.—Baron Stuart of Castle-Stewart, in the county of Inverness, 28th May 1796: British title.

ARMS.—Quarterly: 1st and 4th Or, a lion rampant within a double tressure, flowered and counter-flowered, gules, within a bordure gobonated, argent and azure, the arms of the Regent Moray. 2. Or, a fess cheque, argent and azure, for Stewart of Doun. 3. Or, three cushions pendant within a double tressure, gules, for Randolph, Earl of Moray.

CREST.—A pelican in her nest, feeding her young, proper.

SUPPORTERS.—Two greyhounds proper.

MOTTO.—*Salus per Christum redemptorem.*

CHIEF SEATS.—Dunibirsel in Fife, Castle-Stewart in Inverness-shire, Darnaway in the county of Moray, and Doun Lodge in the county of Perth.

DOUGLAS, LORD MORDINGTOUN.

Mordingtoun.

I. SIR JAMES DOUGLAS, second son of William, tenth Earl of Angus, had charters of the barony of Calendar, 9th June 1632; and of the lands of Over Mordington, 23d August 1634. He married Anne, only child of Laurence, fifth Lord Oliphant. * A controversy arose betwixt her and the heir male, for the title of Lord Oliphant, which was determined in presence of Charles I., in the Court of Session, in 1633, when it was adjudged, that Anne Oliphant had no right to the honours. But the King was pleased to create her husband a peer, by the title of Lord Mordingtoun, 14th November 1641, with the precedency of Oliphant, (1458*). He died 11th February *1656*, leaving a son,

Mag. Sig. L. iii. No. 229. L. liv. No. 322.

Wallace on Peerages, 364.

Lovat Case, 31.

William, second Lord Mordingtoun;—and a daughter,

Hon. *Anne* Douglas, married to Robert, seventh Lord Sempill, and had issue.

II. WILLIAM, second Lord MORDINGTOUN, the only son, was served heir of James, Lord Mordingtoun, his father, 9th July 1663; had a charter of the lands of Claribald, &c. in Berwickshire, 24th August *1663*; and married Elisabeth, eldest daughter of Hugh, fifth Lord Semipill, by whom he had two sons,

Inq. Ret. xxviii. 108.

Mag. Sig. L. lx. No. 321.

1. *James*, third Lord Mordingtoun.

2. Hon. *Lewis* Douglas, who died at the Motes, in Westminster, and was buried at Kensington, 7th July 1682.

Lyons.

III. JAMES, third Lord MORDINGTOUN, the eldest son, had a charter to "James, "Master of Mordingtoun," of the lands of Nether Mordingtoun, in Berwickshire, 2d August 1662. He married the Hon. Jean Seton, eldest daughter of Alexander, first Viscount of Kingston, by whom he had a son,

Mag. Sig. L. lx. No. 192.

IV. GEORGE, fourth Lord MORDINGTOUN, who died in Covent-Garden, 10th June 1741. He was author of "The Great "Blessing of a Monarchical Government, "when fenced about with, and bounded "by the laws, and these laws secured, de-"fended, and observed by the monarch. "Also, that as a Popish government is in-"consistent with the true happiness of "these kingdoms; so great also are the "miseries and confusions of anarchy. Most "humbly dedicated to his Majesty (George "I.), by George Douglas, Lord Mording-"toun," London, 1724. Two pieces against a weekly paper called the Independent Whig, are mentioned in the above work as his Lordship's composition. He married Catherine, daughter of Dr Robert Lauder, rector of Shenty, in Hertfordshire; and by her had a son,

Mordingtoun. Park's Walpole, v. 147.

1. *Charles*, fifth Lord Mordingtoun;—and two daughters,

1. Hon. *Mary* Douglas.

2. Hon. *Campbellina* Douglas.

V. CHARLES, fifth Lord MORDINGTOUN, the only son, went to sea while young, did not return home till after his father's death; but did not assume the title, having no landed property. Engaging in the rebellion, 1745, he was taken prisoner, and arraigned at Carlisle, 11th September 1746, under the designation of Charles Douglas, Esq. He then pleaded his peerage, as Lord Mordingtoun, which was opposed by the King's counsel; but he proving his descent, his trial was put off, and he was remanded back prisoner to the castle of Carlisle. Dying without issue, in him ended the male line of the family. His sister,

V. MARY, Baroness MORDINGTOUN, assumed that title, and died 22d July 1791, without issue by her husband, William Weaver, Esq. an officer of the royal regiment of horse-guards, who was at the battles of Dettingen and Fontenoy; and died at Hallow Park, in Worcestershire, 28th April 1796, aged above eighty.

* In the Union Roll, Lord Mordingtoun is placed betwixt Lord Sinclair and Lord Sempill, and Lord Oliphant is ranked the third below Mordingtoun.

Mordingtoun.

ARMS.—Quarterly: 1st and 4th, Argent, a man's heart, gules, ensigned with an imperial crown, proper; on a chief, azure, three stars of the first, for Douglas. 2d and 3d, Gules, three crescents, argent, for Oliphant.

CREST.—On a cap of dignity, a salamander in flames, reguardant, vert.

SUPPORTERS.—Dexter, a savage, armed with a baton, and wreathed about the head and middle with laurel; sinister, a stag collared and chained, both proper. Mordingtoun.

MOTTO.—*Forward.*

DOUGLAS, EARL OF MORTON.

Morton.

I. ANDREW DE DUGLAS, second son of Archibald de Duglas, by Margaret, eldest of the two daughters and coheiresses of Sir John de Crawford of Crawford, witnessed, along with his brother, William de Duglas, a charter of the lands of Swine Beath, in Fife, 1248. He had two sons,

Chartul. of Dunfermline, 525. D.

1. *William.*

2. *Friskinus* de Duglas, who, with his brother William, swore fealty to King Edward I., in 1296, for lands in the county of Linlithgow, and was ancestor of the Douglasses of Pompherstoun, and other families of that name.

Prynne, III. 668. D.

II. WILLIAM DE DUGLAS, was one of those who swore allegiance to King Edward I., for his lands in West-Lothian, being designed William Fitz-Andrew de Duglas. He married Elisabeth, only daughter of Alexander, high-steward of Scotland, and obtained from her brother James, several lands in Lanarkshire. He had two sons,

Ib. 660.

Caledonia, I. 583.

1. Sir *James.*

2. Sir *Andrew* de Duglas, who obtained from King Robert I. a charter of the lands of Cresswell, which belonged to Henry de Winton, in the barony of Carnewith. A safe conduct was granted to Andreas de Douglas, knight, to come into England to treat for the release of David II., 3d July 1348; and a charter of William de Douglas of Liddesdale, dated 17th April 1351, was witnessed by Dominus Andreas de Douglas, avunculus meus.

Reg. Mag. Sig. 14. 52. Fœdera, V. 625.

Morton.

III. Sir JAMES DE *DUGLAS*, the eldest son, was designed de Laudon, to distinguish him from his cousin, the good Sir James. He had a charter from King Robert I., Jacobo de Douglas, de Laudon, militi, of the lands of Kyncavill and Caldorcler, to be held by him and his heirs, of the King and his heirs, on payment of L.12, 5s. 10d. annually *. He had a daughter, *Elisabeth*, married to Sir Thomas Somervile of Carnwath;—and three sons,

Reg. Mag. Sig. 12.

MS. Hist. Fam. Somerville. D.

1. *William.*

2. Sir *John.*

3. Sir *James*, a gallant warrior, who was killed in a skirmish on the borders with William de Pressen, warden of Jedburgh, in 1335 †.

Dalr. Ann. II. 200.

IV. WILLIAM DE DOUGLAS, the eldest son, was designed Lord of Liddesdale ‡.

* Sir James de Duglas de Laudon, had a natural son, William de Douglas, governor of the castle of Edinburgh. A charter of William Douglas, Lord of Liddesdale, 1351, is witnessed by William de Douglas, senior, frater meus. He was one of the prisoners taken at the battle of Durham, 17th October 1346.

+ Probably there was a fourth son, Henry de Douglas, who was a prisoner in England, 15th May 1338. Fœdera, V. 43.

‡ William de Douglas, *Lord* of Liddesdale, must not be confounded with William Douglas, *Knight* of Liddesdale, natural son of the good Sir James de Douglas of Douglas. Caledonia, II. 118.

Morton. Robertson's Index, 23. Simson's Account of the Chancellors, penes Macfarlane. D. Dalr. Ann. II. 90. Robertson's Index, 48.

He had from King Robert I. a charter to William Douglas, son to umquhill Sir James Douglas of Laudon, of the barony of Calderclair and Kincavil; and another, dated 10th May 1329, of the lands of Eastshiels, in the county of Peebles. He was among the prisoners taken at Halidon-hill, 19th July 1333; and was created Earl of Atholl, which earldom he resigned to Robert, great-steward of Scotland, at Aberdeen, 16th February 1341. He had from King David II. charters of the lands of Lochurd, resigned by Michael Marischal; of the barony of Dalkeith, and the lands of Kilbothok and Newlands, on the resignation of John Graham of Dalkeith; of lands forfeited by the Moubrays, traitors, particularly Redcastle; of the lands of Linton Rotherick, on the resignation of John Logan, 8th May 1340; and of the lordship of Liddesdale, and the lands of Esk and Ewys, in full parliament, at Scone, 22d December 1341. William de Douglas, Dominus Vallis de Ledell, granted a charter to his beloved nephew, James de Douglas, of the lands of Aberdowyr, in Fife, dated at Dalkeith, 17th April 1351; the charter being witnessed Dominis Andrea de Douglas, avunculo meo, et Willielmo de Douglas, seniore, fratre meo. He married Margaret, one of the two sisters and coheiresses of John de Graham of Dalkeith and Abercorn, by whom he had one daughter, Mary, who was dead before 6th April 1369, when a charter was granted, bearing, that William, Earl of Douglas resigned, in presence of the King, to the deceased (quondam) Mary de Douglas, daughter and heir of the deceased William de Douglas, all the lands to which he had any right in the barony of Dalkeith.

Simson, ubi supra. Robertson's Index, 40, 41.

Carta penes Com. de Morton. D.

Reg. Mag. Sig. 52.

Ib. 65.

IV. Sir JOHN DOUGLAS, second son of Sir James de Duglas de Laudon, gallantly defended the castle of Lochleven against the English, in the minority of David II. He was assassinated by the order of Sir David Barclay of Brechin, at Forgywood, some time before Shrove Tuesday 1350, on which day Barclay was killed, by order of William de Douglas, in revenge of his death. He married Agnes Monfode, by whom he had issue,

Fordun, II. 348.

1. Sir *James*.

2. *William*, who died without issue.

3. Sir *Henry*, ancestor of the present Earl of Morton.

Morton.

4. *Thomas*, who died without issue.

5. *John de* Douglas, who was one of the prisoners taken at the battle of Durham, 17th October 1346. He married Mariota, daughter and coheiress of Reginald Chene; but had no issue by her, who took to her second husband John de Keth, brother of the Marischal.

Reg. Mag. Sig. 46.

6. *Nicholaus*, said to be ancestor of the Douglasses of Mains. [qu.?]

Carta penes Com. de Morton. D.

1. *Margaret*.

2. *Helen*.

V. Sir JAMES DOUGLAS, the eldest son, had a grant of the barony of Aberdour, in 1351, from his uncle, William Douglas, whom he succeeded in his extensive property on the death of Mary, his only daughter. A safe conduct was granted to James de Douglas to come into England, 5th December 1363; and another to James de Douglas, son of John de Douglas, Chivaler de Scotia, 26th October 1367. King David II. granted to James de Douglas, son of the deceased John de Douglas, knight, an annualrent out of the lands of Esschlis, Horsbruk, Eisterhopkeliouch, and Newby, in the shire of Peebles, during his Majesty's pleasure. He had a charter from the same Prince to Sir James de Douglas, knight, of the barony and castle of Dalkeith, on his own resignation, to him and the heirs male of his body; which failing, to his nearest heirs male bearing the name of Douglas; so that the same may not descend to any heir female whatsoever, unless it shall happen that the whole heirs male aforesaid, bearing the name of Douglas shall *totally* fail, in which case the nearest heirs male or female of the said Sir James shall possess the same, dated at Montrose, 9th December 1368.

Fœdera, VI. 428, 567.

Reg. Mag. Sig. 33, 70.

He was present at the coronation of King Robert II., at Scone, 26th March 1371; and the next day took the oath of fealty to that monarch. His seal is appended to the act of settlement of the crown of Scotland that day *; and he was

Robertson's Index, App.

* On his seal are two mullets on a chief, supported by two savages, and for crest a wild boar and a tree.

Morton. one of those who swore to the maintenance of the second act of settlement of that crown, 4th April 1373. He made a pilgrimage to Canterbury the same year, Fœdera, VII. 32. for which a safe conduct was granted to James de Douglas de Daweth, Chivaler, 8th December 1373.

He had a charter from King Robert II. to James de Douglas of Dalkeith, knight, his Majesty's dear cousin, of the barony of Kyncavyll and Caldoreclere, in the constabulary of Linlithgow, and shire of Edinburgh; the barony of Preston, in Dumfries-shire; the barony of Kylbothok and Newlandys, and the barony of Kynton Rotheryk, in Peebles-shire, on his own resignation, to be held by him and James de Reg. Mag. Sig. 140. Douglas, his son, begotten of his lawful wife, Agnes de Dunbarr, sister of the Earl of March, and the heirs male of the body of James, the son; which failing, to the heirs male of the body of James, the father, by the same or any other wife; which failing, to William de Douglas, knight, Henry de Douglas, knight, and Thomas de Douglas, brothers of James, the father, and the heirs male of their bodies respectively; which all failing, to the true and legitimate heirs of James, the father, dated 2d January 1374-5*.

Ib. 150. He made a grant of the lands of Qwylt and Fethane, in the shire of Peebles, for the support of a chaplain in the chapel of Dalkeith, confirmed by Robert II., 25th October 1377. This chapel, which was afterwards turned into a collegiate church, was erected for the welfare of the souls of David II., John Douglas, his father, Agnes, his mother, William Douglas, his uncle, Carta penes Com. de Morton. D. Agnes, his own deceased wife, John de Douglas, his brother, Maria de Douglas, his cousin, Margaret and Helen, his sisters; and he endowed it with the lands of Lochurd, and forty shillings out of the lands of Kirkurd, in Peebles-shire, testibus Willielmo et Henries de Douglas, militibus, fratribus suis, Nicolao de Douglas, fratre ejus, Morton. 5th December 1384. He likewise founded a hospital for the support of six poor people, near the chapel of Dalkeith, and endowed it with L.14 sterling, out of the Carta penes Com. de Morton. D. lands of Newby, Easterhopekylack, and Morton, testibus Jacobo de Douglas, primogenito nostro, Jacobo de Douglas de Aberdour, filiis nostris, Nicolao de Douglas, fratre nostro, 7th June 1396 †. James de Douglas, Seignur de Dalkeith, was one of the commissioners sent to endeavour to get Scotland included in the treaty betwixt England and France, 1384. James de Douglas de Dalkeith, chivaler, was one of Fœdera, VII. 434, 683, 788. VIII. 25, 370. the guarantees of a treaty with England, 16th July 1390. James de Douglas de Dalkeith, banneret, was a commissioner to treat with the English, and had a safe conduct to that effect, 30th August 1394. James Douglas, dominus de Dalkeith, had a safe conduct into England, with twenty-four persons in his retinue, 17th November 1397; and was one of the commissioners for a truce with England, 24th August 1404.

This powerful lord died in the year 1420, Fordun, II. seventy years after the death of his father. 460. He married, first, Lady Agnes Dunbar, second daughter of Patrick, ninth Earl of Dunbar and March, and Agnes, Countess of Moray. Her brother, George, Earl of Dunbar and March, Lord of Annandale and Man, granted to him, in free marriage, Reg. Mag. Sig. 117, 125. with his sister, the lands of Mordington, in Berwickshire, by charter, dated 21st November 1372; also the lands* of Whittingham, in the earldom of March, both confirmed by Robert II., 6th December 1372. He also obliged himself to give them a hundred pounds of land in the Isle

* In this charter, John, fifth son of Sir John, is not noticed, as he was dead, without issue, before 25th May 1366, when a charter of half of the barony of Strabrok, and a fourth part of the earldom of Caithness was granted to Mariot Chene, his relict. Nicolaus de Douglas, said to be the sixth son of Sir John, is not mentioned therein, which induces the belief that he was not legitimate.

† He had charters from David II., 3d February 1367-8, of the King's lands of Wodefield, Tyry, Sefelde, the two Balbretanis, with the mill, in the constabulary of Kinghorn, (Reg. Mag. Sig. 91.), from Isabel, Countess of Fife, of the lands of Easter Ferny, 1369, from Euphemia, Countess of Strathern, of the lands of Keilor, 1369 and 1371; and a resignation of the lands of Fairlyhope, in the lordship of Linton, from Hugh Fraser, Lord of Lovat, 1377. (Penes Com. de Morton.) He had from King Robert III. a grant of a pension out of the customs of Edinburgh, and a charter of the lands of Hawthornsyke, in the constabulary of Linlithgow. (Robertson's Index, 140, 144.)

Morton.

of Man, how soon the possession thereof could be recovered. By her he had issue,

1. *James.*

Cartæ penes Com. de Morton. D. Ib. ad An. 1381. D.

2. *William* de Douglas, to whom he gave the barony of Mordingtoun.

Ib. ad An. 1380. D.

1. *Janet*, married to Sir John Hamilton of Cadzow.

Ib. D.

2. *Margaret*, married to Philip Arbuthnott of Arbuthnott.

Ib. D.

3. *Agnes*, married to Sir John Livingston of Calendar.

4. ———, married to Tweedie of Drumelzier.

He married, secondly, Egidia, daughter of Walter, high-steward of Scotland, sister of King Robert II., relict of Sir David Lindsay of Crawford, and Sir Hugh Eglintoun of Eglintoun, and by her had a son,

Sir *James* de Douglas of Robertoun, knight, who had from his father a charter,

Reg. Mag. Sig. 248.

dated at Dalkeith, 10th July 1411, Jacobo de Douglas de Robertoun, militi, filio suo, of the lands of Stanypeth and Baldwynysgill, formerly in the barony of Linton, now in the barony of Dalkeith, witnessed Jacobo de Douglas, filio nostro et herede. James de Douglas, de Robertoun, chivaler,

Fœdera, VIII. 730. IX. 8.

had a safe conduct into England, 18th April 1412; and again, 22d April 1413, when he accomplished the release of his nephew.

VI. Sir JAMES de DOUGLAS, the eldest son, had from King Robert III. a charter,

Reg. Mag. Sig. 203.

dated 18th January 1391-2, confirming the grant which James de Douglas de Dalketh, miles, consanguineus noster, fecit Jacobo de Douglas, militi, filio suo et heredi, of the castle and town of Dalkeith, and 500 marks of land. He had a charter from King Robert III., dated 29th April

Fœdera. Mag. Sig. L. vii. No. 154.

1401, of the barony of Morton, and the lands of Mordington and Whittingham; another in 1402, to him and Elisabeth, his

Carta penes Com. de Morton. Simson's Account of the Chancellors.

wife, our dearest daughter; and a third to them of an annuity of L.40 Scots yearly, out of the great customs of Edinburgh,

Fœdera, VIII. 429, 457, 730. IX. 6.

dated 30th May 1403. A safe conduct was granted to James de Douglas de Dalketh, filius, chivaler, to come into England, 30th January 1406; and another to James de Douglas, son and heir of the lord of Dalkeith, as a hostage for the Earl of Douglas, 1st November 1406; again, 18th April 1412, and 22d April 1413, when he procured the release of his son. A safe conduct was granted, 13th December 1423, to James de Douglas de Dalkeith, chivaler, or his heir, to come to Durham to meet King James I. when he was released. James, Dominus de Dalketh, was one of the conservators of the treaty with England on that occasion, 28th March 1424. He was a commissioner to treat with England, 25th May 1429, and one of the conservators of a treaty with that kingdom, 15th December 1430. He had a charter, Jacobo, Domino de Dalkeith, militi, and Jonet his wife, of the lands of Quhittingeam, in the

Morton.

Fœdera, X. 308, 332, 417, 429, 482.

Mag. Sig. L. iii. No. 122, 135.

county of Edinburgh, dated 13th October 1439; and another to them of the barony and castle of Morton in Dumfries-shire, dated 26th February 1439-40, both on his own resignation. These charters were confirmed, Jacobo, Domino de Dalkeith, and

L. iv. No. 6, 7.

Jonetæ, sponsæ filiæ quondam Willielmi de Borthwick, de eodem, militis, 7th March 1449-50. He died before 22d March 1450-1, when charters were granted to Janet his widow. He married, first, Elisabeth, third daughter of King Robert III., by whom he had three sons,

1. *William*, who, under the designation William de Douglas, primogenitus filius Jacobi de Douglas, filii et hæredis Domini de Dalkeith de Scotia, had a safe conduct into England, 21st September 1405. He had another, 20th June 1408, as a hostage for the Earl of Douglas, was sent to the Tower of London, where King James I. then was, 21st March 1413, but was released from captivity, 11th May 1413, on payment of 1000 marks by James de Douglas de Robertoun, knight, commissioner for James de Douglas, Dominus de Dalkeith. A dispensation was granted in December 1421, permitting William de Douglas, son of Sir James de Douglas, knight, "Domini loci de Dalbrech," and Margaret de Borchville, relict of William de Abernethy, to marry, notwithstanding of his being within the third degree of consanguinity to her first husband. He was one of the hostages for King James I. in 1424, when the annual revenue of William, eldest son and heir of the Lord of Dalkeith, was estimated at 1500 marks, being the greatest income of any of the hostages, except

Fœdera, VIII. 417, 537. IX. 2, 7, 8.

A. Stuart, 454.

Fœdera, X. 327.

Morton.

Duncan, Lord of Argyll, who had the same annual revenue. He died before 1440 without issue.

2. *James.*

MS. Hist. of the Fam. D.

3. *Archibald*, ancestor of the Douglasses of Netherdale, Tilliwhilly, and Inchmarlo, and other families of that name.

He married, secondly, Janet, daughter of Sir William Borthwick of Borthwick; she survived him, and had two charters dated 22d March 1450-1, to Janet, wife of the deceased James, Lord of Dalkeith, of the lands of Whittingham, and the barony and castle of Morton. By her, who married, secondly, George, Earl of Caithness, admiral of Scotland, Sir James de Douglas had a son,

Mag. Sig. L. iv. No. 191, 192.

Sir *William* Douglas of Morton and Whittingham, who had a charter Willielmo Douglas de Mortoun, militi, et Euphamiæ, sponsæ suæ, of twenty pounds of land in the town of Whittingham, 12th January 1452-3, and he had another charter of the lands of Whittingham on his own resignation, 1st June 1459. A charter was granted to William de Douglas, knight, of the barony of Morton, in Dumfries-shire, on the resignation of James, Earl of Morton, 30th May 1459; and an act of parliament was passed at Perth, 9th October 1459, confirming to Janet, Countess of Caithness, Lady of Dalkeith, and William de Douglas of Morton, knight, her son, the possession of the lands of Morton in Dumfries-shire. From Sir William Douglas descended the Douglasses of Whittingham, the last of the direct male line of whom, Archibald Douglas of Whittingham, died 28th November 1660, and was succeeded by his sister Elisabeth, Viscountess of Kingstoun, whose daughter, Elisabeth, carried that estate to her husband, William Hay of Drumelzier, and their posterity still possess Whittingham. Of this family was Robert Douglas, who had the command of a regiment of horse under Gustavus Adolphus, King of Sweden, was crown general and governor of Riga in Queen Christiana's time, his son was governor of East Gothland, and married a sister of Count Steinbeck, by whom he had three sons: 1. William, Count Douglas, aide-de-camp to Charles XII., who was made prisoner with his Majesty at Pultowa 1709; 2. —— colonel of a regiment in that battle, who was also taken prisoner, entered into the Russian service, and rose to the rank of general; 3. —— captain in the King of Sweden's guards.

Ibid. L. iv. No. 119. L. v. No. 65.

L. vii. No. 154.

Morton.

VII. JAMES DOUGLAS of Dalkeith, the eldest surviving son, succeeded his father 1450; and being deranged, a charter was granted, 22d May 1452, constituting James Giffart de le Sherriff-hall, the King's substitute, in the office of curator of James, Lord of Dalkeith, in the government of the lordships, castles, manors, lands, and moveable and immoveable goods of the said Lord of Dalkeith, for the space of nineteen years. He died about 1456. He married, first, Lady Margaret Douglas, eldest daughter of James, seventh Earl of Douglas, by whom he had a daughter,

Mag. Sig. L. iv. No. 169.

Beatrix, married to William, first Earl of Errol;

Secondly, Elisabeth, daughter of Giffard of Sherriff-hall, by whom he had two sons,

1. *James.*

2. *Henry*, who had a charter under the great seal, dated 3d September 1473, confirming a charter of the deceased James de Douglas, Lord of Dalkeith, granted to Henry de Douglas his son, and the deceased Margaret de Douglas, wife of the said Henry, of the lands of Borg in Galloway, Corehead, Graunton, and Moffat with the mill, in Annandale. He was ancestor of the Douglasses of Corehead, Longniddry, Harwood, Garwalfoot, and other families of that name.

L. vi. No. 66.

VIII. JAMES DOUGLAS of Dalkeith, the eldest son, had a charter Jacobo de Douglas, filio et heredi quondam Jacobi, Domini de Dalkeith, of the lands of Dalkeith, Aberdour, Caldercleir, &c. 8th September 1456. He was created Earl of Morton 14th March 1457-8, when in parliament the Bishop of Brechin, chancellor, addressing himself to James, Lord Dalkeith, set forth, that the King purposed to create him Earl of Morton. Whereupon William, Lord Borthwick, appeared, in the name and for the behoof of his sister Janet, Lady Dalkeith, and asserted, that the said lands of Morton heritably belonged to her and her son William de Douglas, and therefore

Simson's Account of the Chancellors. D.

Auth. Add. Case, iv. 55.

Morton. humbly prayed, that the King might do nothing to the prejudice of his sister and her son concerning the said lands of Morton, their inheritance. To this the chancellor answered, That the said Lord Dalkith was not to receive his title in the earldom for the lands of Morton, lying in the lordship of Niddisdale, but for the lands of Mortoun in the territory of Caldercleir. Upon which declaration Lord Borthwick took instruments in full parliament. A charter was granted by King James II. to James, Earl of Morton, and Johanna, sister of the King, of the lands of Easter and Wester Balbartanes, in the constabulary of Kinghorn, on the resignation of Alexander Napier of Merchistoun, 13th May 1459. He had a charter of the lands of Wodefield, in the same constabulary, 31st May 1465. A charter was granted to the abbot of the monastery of Inchcolm, of the lands of Brego, in the barony of Aberdour, dated 31st October 1480, by James, Earl of Morton, and John Douglas, knight, his son and heir apparent, witnessed by James, second son of William Giffard, uncle of the said Earl, and James Giffart de Seref-hall. James, Earl of Morton, had a safe conduct into England as one of the ambassadors from Scotland, 14th June 1491, and again 28th July 1494.

Mag. Sig. L. v. No. 61. L. vi. No. 30. L. ix. No. 34.

Fœdera, XII. 446, 555.

By his wife Johanna, daughter of King James I., relict of James, third Earl of Angus, he had a son,

John, second Earl of Morton, and two daughters.

1. Lady *Janet*, married to Patrick, first Earl of Bothwell; they had a charter, 1st February 1480-1.

2. Lady ——, married to Thomas, first Lord Erskine.

IX. JOHN, second Earl of MORTON, the only son, succeeded his father. John, Earl of Morton, Lord Dalkeith, was present in parliament when the settlements on Margaret of England by James IV. were confirmed, 13th May 1504. He had a charter to John, Earl of Morton, and Janet Crichton his wife, of the lands of Aberdour, with the castle, in the regality of Dalkeith, and county of Fife, on his own resignation, 22d February 1506-7.

Fœdera, XIII. 93.

Mag. Sig. L. xiv. No. 307.

By the said Janet Crichton, daughter of Cranston-Riddel, he had issue,

Morton.

1. *James*, third Earl of Morton.

2. *Richard* Douglas, who had two sons, William and James, substitutes in the charter of the earldom of Morton 1564.

1. Lady *Elisabeth*, married to Robert, Lord Keith, eldest son of William, third Earl Marischal, and had issue.

2. Lady *Agnes*, married to Alexander, fifth Lord Livingston, and had issue.

X. JAMES, third Earl of MORTON, the eldest son, had a charter to "James Douglas, son and heir apparent of John, Earl of Morton," and Katherine, natural daughter of the King, his wife, of the barony of Prestoun, in the stewartry of Kirkcudbright, erected into a free barony and regality. A safe conduct was granted, 6th February 1516, to James, Earl of Morton, Lord Dalkeith, to go to England. Having no male issue, he made an entail of his estate and honours in favour of Sir Robert Douglas of Lochleven, who had a charter, dated 17th October 1540, of the lordship of Dalkeith, barony of Garmylton-Dunning, lands of Elphinstone, barony of Calderclerr, the lands of Bonytoun, Bernis, Kyncavill, Drumcross, Gallowhill, Dechmont, Halden, Knightsrig, in the barony of West-Calder, Newlands, Linton, Kilbotho, Kirkurd, Lochurd, in the shire of Peebles, Whittingham, in the constabulary of Haddington, Robertoun, Edmestoun, and Biggar, in Lanarkshire, Mordingtoun and Lochirmachus, in Berwickshire, Preston, Borg, and Butill, in the stewartry of Kirkcudbright, Hutton, and Moffatdale, in Annandale, Aberdour, Tiry, Wodefield, Seyfield, and Balbartanis, in Fife, Ganoquhy and Petculane, in the barony of Kinnoul in Perthshire, and the earldom of Morton in Dumfriesshire, all erected into a free barony and regality, and erecting Dalkeith into a free burgh of barony, with great privileges, on the resignation of James, Earl of Morton, reserving the terce to Katherine Stewart, Countess of Morton, the King's sister, wife of the said Earl. But the Earl afterwards altered the destination, and a charter was granted of the above lands and earldom, in favour of his son-in-law James Douglas, and Elisabeth his wife, the daugh-

Mag. Sig. L. xiv. No. 425.

Fœdera, XIII. 531.

Mag. Sig. L. xxvii. No. 179.

L. xxviii. No. 521.

Morton.

ter of the Earl, and the longest liver, in conjunct fee, and the heirs male to be procreated betwixt them, remainder to David Douglas, brother of James, George Douglas, father of James, Archibald, Earl of Angus, Richard Douglas, brother of James Earl of Morton the granter, Hugh Douglas of Langnudry, Patrick Douglas of Corehead, and William Douglas of Whittingham, and the heirs male of their bodies respectively, confirmed by royal charter of 22d April 1543. The Duke of Chatelherault, Margaret his Duchess, eldest daughter of the Earl, and their eldest son, concurred in ratifying that settlement, by deed under their hands and seals, 1560. James, third Earl of Morton, died in 1553; he married Catherine, natural daughter of King James IV., by Mary Boyd, and by her had three daughters,

1. Lady *Margaret*, married to James, Earl of Arran, Duke of Chatelherault, regent of Scotland, from whom she had a charter of the tower of Kinnoul, and part of that barony, 23d September 1532.

Mag. Sig. L. xxiv. No. 260.

2. Lady *Beatrix*, married to Robert, Lord Maxwell, from whom she had a charter, in her virginity, of the barony of Mearns, 25th July 1530.

L. xxiii. No. 203.

3. Lady *Elisabeth*, married to James Douglas, who, in terms of the above settlement, became fourth Earl of Morton.

JAMES, fourth Earl of MORTON, was second son of Sir George Douglas of Pittendriech, and brother of David, seventh Earl of Angus. A charter was granted, 2d February 1535-6, to his mother, Elisabeth Douglas, daughter and heir of David Douglas of Pittendrieth, for life, and in fee to James Douglas her youngest son, of the lands of Pittendrieth. After his marriage with Lady Elisabeth Douglas, he had the stile of Master of Morton, and is so designed in Sadler's Letters, 1543. He succeeded his father-in-law 1553, was sworn a privy-councillor 1561, and appointed high chancellor of Scotland, 7th January 1563. He was the principal instigator of, and an actor in, the murder of Rizio, 9th March 1566, for which he was obliged to leave the kingdom. By means of the Earl of Bothwell he obtained a pardon the same year, and returned to Scotland; Bothwell went to Whittinghame, and communicated to him the intention of murdering Lord Darnley, in which he refused to concur. He entered into the association for the defence of the King, 1567; and was reinstated in the office of high chancellor for life, 11th November 1567. The same year he obtained the offices of high admiral of Scotland, and sheriff of the county of Edinburgh, forfeited by Bothwell; and commanded the van of the King's army at the battle of Langside, 1568. He was one of the commissioners sent to England to prefer an accusation against Queen Mary that year. On the death of the Earl of Marr, Regent of Scotland, that high office was conferred on the Earl of Morton, 27th November 1572. He resigned the regency in March 1578, when he obtained from the King an act containing the approbation of every thing done by him in the exercise of his office, and a pardon, in the most ample form that fear or caution could devise, of all past offences, crimes, and treasons. This was ratified by parliament, 25th July 1578. He was accused of being accessary to the murder of Lord Darnley by Captain Stewart, 30th December 1580, and committed prisoner to the castle of Dunbarton, from whence he was removed to Edinburgh, 27th May, and brought to trial, 1st June 1581, when he was found guilty of counsel, concealing, and being art and part in King Henry's murder. He was the next day executed by the machine called the maiden, which he had introduced into Scotland; on the scaffold his behaviour was calm, his countenance and voice continued unaltered; and after some time spent in devotion, he suffered death with the intrepidity which became the name of Douglas. His head was placed on the public gaol in Edinburgh, from whence it was taken down by the King's warrant of 8th December 1589; and his body, after lying till sunset on the scaffold, covered with a beggarly cloak, was carried by common porters to the usual burial-place of criminals *. Never was there seen, says Spottis-

L. xxv. No. 286.

Crawf. Off. St. 94, 116.

* In Illustrations of Scotish History, is a paper entitled, The Sowme of all that conference that was betwixt the Erle of Mortoun, and John Durie, and Mr Walter Balcalquhen, and the chief thingis which they haird of him whairof they can remember, the

Morton.

woode, a more notable example of fortune's mutability than in the Earl of Morton. He who, a few years before, had been reverenced by all men, and feared as a king, abounding in wealth, honour, and number of friends and followers, was now, at his end, forsaken by all, and made the very scorn of fortune, to teach men how little stability there is in honour, wealth, friendship, and the rest of these worldly things men do so much admire. He was of a low stature, handsome, of a graceful countenance and of singular courage, whereof he gave many proofs in the time of the civil troubles; wise and able for government, a lover of justice, order, and policy, but inclined to covetousness, and given too much to the pleasures of the flesh, which, at his death, he acknowledged with great remorse. In one thing he was nevertheless most happy, that he died truly penitent, with that courage and resignation which became a great man and a good Christian, and in the full assurance of a blessed immortality.

By Lady Elisabeth Douglas his wife, he had no issue*. A charter was granted, 17th October 1564, to James, Earl of Morton, and Lady Elisabeth Douglas his wife, and the longest liver of them, and the heirs male procreated or to be procreated betwixt them, which failing, to the legitimate heirs male of his body, which failing, to Archibald, Earl of Angus, William Douglas of Lochleven, Francis Douglas of Longniddry, William Douglas of Whittinghame, William Douglas, son of the deceased Richard Douglas, brother of the deceased James, Earl of Morton, James Douglas, brother of the said William Douglas, and the heirs male of their bodies respectively; which failing, to the nearest legitimate heirs male whatsoever of James, now Earl of Morton, bearing the name and arms of Douglas, of the lordship of Dalkeith, lands and baronies of Garmilton-Dunning, Ewingstoun, Caldercleir, Bonytoun, Bernis, Kincavill, Drumcross, Gallohill, Williamcragis, Whittinghame, Hawthorndyke, Dechmont, Holden, Knightsrig, Newlands, Linton, Kilbucho, part of Kirkurd and Lochurd, the lands of Esschelis, Quylt, Fechane, annualrents out of Horsburgh, Hopkelloch, and Newby; the lands and baronies of Robertoun, Edmestoun, Aberdour, Tyrie, Wodfield, Seyfield, two Balbartans, the lands, earldom, and barony of Mortoun, the lands and baronies of Mordington, Garnochie, Petculane, Prestoun, Borg, Burtle, Huttoun, and Moffatdale, ratified in parliament, 19th April 1567. James, Earl of Morton, had charters of Petgoune, Caldhame, and other lands, in the county of Elgin, 16th February 1578-9; and of Bonnytoun and Blackness, in the county of Linlithgow, on the 24th of the same month.

Rec. Parl. 763.

Morton.

Mag. Sig. L. xxxv. No. 97.

L. xxxv. No. 93, 95, 96.

By the attainder of James, fourth Earl of Morton, his estates and titles became forfeited to the crown. John, Lord Maxwell, grandson of James, third Earl of Morton, obtained a charter of the earldom, barony, and regality of Morton, of new erected into the earldom of Morton, 5th June 1581; ratified, with consent of parliament, 19th November 1581. A general act of indemnity having passed in 1585, and a letter of rehabilitation of James, Earl of Morton, having issued under the great seal, Lord Maxwell was deprived of his title of Earl of Morton, which devolved on the next heir of entail. The rehabilitation, dated 29th January 1585-6, proceeds on this narrative: Nos considerantes bona fidelia et gratuita servitia nobis facta per quondam Comitem de Morton, in gubernatione et administratione nostri regni, nec non alia debita et egregia officia per ipsum præstita et impensa, considerantes etiam

L. xxxv. No. 398, 46

Crawf. Peer. 353.

day that the said Erle sufferit, which was the 2d of June 1581.

* A charter of the lands of Dunse, in Berwickshire, and of Easter Spott, in the county of Edinburgh, was granted by George Home, fiar of Spott, to James Douglas, commendator of Pluscardine, natural son of James, Earl of Morton, and to Agnes Hume, then his future spouse, in conjunct fee, and their heirs male, remainder to Archibald, George, and William, natural brothers of James, 31st January 1577-8, confirmed under the great seal, 24th February following. Mag. Sig. L. xxxiii. No. 144. William Douglas, natural son of James, Earl of Morton, had a charter of Grange Tyre in Fife, 16th February 1578-9. James Douglas, natural son of James, Earl of Morton, had a charter of the lands of Stobo in the county of Peebles, confirmed 13th November 1605. Mag. Sig. L. xliv. No. 151. Archibald Douglas, natural son of James, Earl of Morton, had a charter of the ecclesiastical lands of the parish of Douglas, 19th June 1623. Mag Sig. L. l. No. 231.

Morton. quod nullatenus conscius fuit artis et partis dicti criminis, neque ejusdem facinoris et cædis perpetrationis ullatenus consensit, sed tantummodo prædictam cædem prænoscovit et celavit, quam ob causam in corpore satis superque luit, juxta dictam sententiam forisfacturæ contra eum latam et promulgatam, unde legibus et nostro honori abunde ex hac parte satisfactum fuit. Archibald, eighth Earl of Angus, the next heir of entail, succeeded, in consequence, to the earldom of Morton; but dying without surviving issue, in 1588, the title devolved on Sir William Douglas of Lochleven, descended from

Mag. Sig. L. xxxvi. No. 549.

V. Sir HENRY DOUGLAS of Lugton and Lochleven, third son of Sir John Douglas of Dalkeith, by Agnes Monfode. He had from King David II. a charter dated 20th September 1368, of a third part of the lands of Logton, in the county of Edinburgh, on the resignation of Thomas Fitzwalter. A safe conduct was granted, 16th May 1374, to Henry de Douglas de Scotia, chivaler, with twenty attendants on horseback, to visit Canterbury. He had a charter from King Robert II. of annual rents out of certain lands in the county of Peebles, 3d January 1383-4. Henry de Douglas had, in 1385, 300 francs, as his share of the money brought from France by John de Vienne; and he was sent by Robert II. into England, to receive the oath of Richard II. respecting a treaty with France, 18th June 1389. King Robert II. granted three charters on the 18th of March 1389-90, dilecto consanguineo nostro Henrico de Douglas, militi, of the barony of Logtoun, in the county of Edinburgh, the place, castle, and our castle of Lochleven, the town of Kinross, and several lands in the county of Kinross, and the lands of Langnewton, in the county of Roxburgh, to be held by the said Henry, and Marjory, his wife, nepti nostræ carissimæ, and the longest liver of them, and the heirs procreated or to be procreated betwixt them; which failing, to the heirs and assigns whatsoever of Henry, on his own resignation. He married Marjory, daughter of Sir Walter Stewart of Ralstoun, brother of King Robert II., and by her had issue,

Reg. Mag. Sig. 68.

Fœdera, VII. 37.

Reg. Mag. Sig. 167.

Fœdera, VII. 485.

Reg. Mag. Sig. 178, 179.

1. Sir *William*.
2. Sir *James* Douglas of Ralstoun.
3. Daughter, *Margaret*, married to Sir John Wallace of Craigie *.

Morton.

VI. Sir WILLIAM DOUGLAS of Lochleven, the eldest son, married Lady Marjory Lindsay, second daughter of David, first Earl of Crawford, grand-daughter of King Robert II., and by her had issue,

1. Sir *Henry*.

2. Sir *James* Douglas, one of the three Scotish champions who encountered three Burgundian knights at a tournament at Stirling, in 1449.

Pinkerton, I. 207.

1. *Elisabeth*, who was maid of honour to Joanna, Queen of James I. She was in the royal apartment when it was attacked by the assassins of that King, in 1437; on the first alarm she went to secure the door, but the bar having been removed, she thrust her arm into its place, in hopes of keeping them out; they broke her arm in forcing open the door, and finished their bloody tragedy. This heroine was afterwards married to Richard Lovel of Balumby, in Forfarshire; her daughter and heiress, Janet, married Sir Robert Graham of Fintry, and their lineal descendant, Robert Graham of Fintry, carries the three piles of Lovel in his arms, in consequence of that alliance.

2. *Christian*, married to Sir David Wemyss of Wemyss, as appears from a charter, 1432.

In Arch. Fam. de Wemyss. D.

3. ——, married to James Auchinleck of Auchinleck.

VII. Sir HENRY DOUGLAS of Lochleven, the eldest son, was one of the supplementary hostages for King James I., and went to England in that capacity, 9th November 1427, in room of Norman Lesley, being designed Henry Douglas, dominus de Loghleven et de Logton. He was released 20th June 1432; and had a charter, Henrico Douglas de Lochleven, militi, and Elisabeth, his wife, of the lands of Killor, in Strathern, 7th July 1464. He married

Fœdera, X. 381, 509.

Mag. Sig. L. vi. No. 109.

* King Robert II., on the 9th of October 1381, ratified the infeftment which Willielmus de Fayrley of Brade had made of the lands of Bavillay, in the county of Edinburgh, to John, his son and heir, and Elene, natural daughter of Sir Henry de Douglas, knight. Reg. Mag. Sig. 175.

Morton. Elisabeth, daughter of Sir Robert Erskine of Erskine, by whom he had three sons,

1. *Robert*,
2. *David*, and
3. *Henry;* designed brothers of Robert Douglas of Lochleven, in a charter of 12th August 1494.

In Pub. Arch. D.

VIII. Robert Douglas of Lochleven, the eldest son, had a charter Roberto Douglas, filio et hæredi apparenti Henrici Douglas de Lochleven, militis, of the lands and barony of Kinross, castle, and lake of Lochleven, on his father's resignation, dated 16th October 1463; reserving her terce to Elisabeth Erskine, wife of Henry. He had a charter of apprising, 6th November 1490, to Robert Douglas of Lochleven, of part of the lands of Petlour, in Fife; and another, 28th June 1498, of the lands of Dalqueth, in Kinross-shire; and he fell at the battle of Flodden, 9th September 1513. He married, first, Elisabeth, eldest daughter of David Boswell of Balmuto, and by her had a son,

Mag. Sig. L. vi. No. 105. L. xii. No. 167. L. xiii. No. 268.

Sir *Robert;*—and two daughters,

1. *Agnes*, married to Thomas Hamilton of Raploch.

2. *Margaret*, married to Sir David Stewart of Rosyth, from whom she had a charter, 26th February 1483-4.

L. x. No. 119.

He married, secondly, Isabel, daughter of Sir Andrew Sibbald of Balgony, relict of George, fourth Earl of Angus; Isabel, Countess of Angus, and *Robert Douglas* of Lochleven, her husband, occurring in the Acta Auditorum, 1489. He married, thirdly, Marion, daughter of Sir William Baillie of Lamington, relict of John, fourth Lord Lindsay of Byres. They are mentioned in the Records of Parliament, March 1503-4.

Acta Auditorum, 145.

Rec. Parl. 500.

IX. Sir Robert Douglas of Lochleven, the only son, succeeded his father, 1513. He married Margaret, daughter of David Balfour of Burleigh, by whom he had a son,

Thomas;—and a daughter,

Margaret, married to Henry, son and heir of Sir David Stewart of Rosyth, as appears from a charter, dated 12th August 1516.

In Pub. Arch. D.

X. Thomas Douglas, the only son, died before his father, leaving, by Elisabeth, his wife, daughter of Archibald, son of Robert, Lord Boyd, a son,

Morton.

Sir *Robert;*—and three daughters,

1. *Margaret*, married to John Anstruther of Anstruther.

2. *Marian*, married to John Lindsay of Dunrod.

3. *Elisabeth*, married to Alexander Alexander of Menstrie.

XI. Sir Robert Douglas of Lochleven, the only son, succeeded his grandfather, and had charters to himself in life-rent, and William his son and heir apparent, in fee, of the barony of Kinross, castle and lake of Lochleven, and office of sheriff of Kinross, reserving the terce of the said barony to Margaret Erskine, wife of Robert, of the baronies of Kelour in Strathern, Lugtoun in the county of Edinburgh, and Langnewton in Roxburghshire, 20th January 1540-1; and to him and Margaret Erskine, his wife, of the barony of Cuthillgardy in Perthshire, 27th March 1546. He fell at the battle of Pinkie, 10th September 1547. By Margaret his wife, second daughter of John, fourth Lord Erskine, mother, by King James V., of the Regent Moray, he had issue,

Mag. Sig. L. xxvii. No. 179. L. xxx. No. 182.

1. Sir *William*.

2. *Robert*, Earl of Buchan.

3. Sir *George* Douglas of Helenhill, who had a charter to George Douglas, brother-german of *William Douglas* of Lochleven, of a pension of 50 marks from James, commendator of St Andrews, 25th April 1565. He accomplished the escape of Queen Mary from her confinement at Lochleven, 1567; had a charter of the lands of Aschieschiellis in the county of Peebles, 19th January 1591-2; and left an only child, Margaret, his heiress, married to George, Lord Ramsay of Dalhousie; she had a charter of Keringtoun for life, 30th July 1612.

Ibid. L. xxxiii. No. 194.

Ibid. L. xxxviii. No. 100. L. xlvii. No. 58.

1. *Eupheme*, married to Patrick, sixth Lord Lindsay of Byres, and had issue.

2. *Janet*, married to Sir James Colvile of Easter Wemyss, and had issue.

3. *Catherine*, married to David Durie of Durie.

XII. Sir William Douglas of Loch-

Morton.
Penes Com. de Morton. D.

leven, the eldest son, was in 1555 served heir of his father Sir Robert Douglas of Lochleven, son of Thomas Douglas, only son of Sir Robert Douglas of Lochleven. Queen Mary was committed to his charge in Lochleven Castle 1566. He had a charter of apprising of Pharington in the county of Roxburgh, 23d October 1574; and charters of the lands of Kynnesswood and Kirkness, 6th January 1586-7. On the death of Archibald, Earl of Angus and Morton, in 1588, the estates and honours of Morton devolved on Sir William Douglas, who thus became sixth Earl of Morton; and he had a charter to him and Agnes Lesly his wife, of the earldom of Morton, 20th July 1589. He had a charter of Tullois and other lands in Forfarshire, 22d July 1594, another of the tenandry of Dumfidling in Annandale, 23d January 1600; and he died 24th September following.

Mag. Sig. L. xxxiv. No. 235.

Ib. L. xxxvii. No. 342. L. xl. No. 24. L. xliv. No. 212.

He married Lady Agnes Lesly, eldest daughter of George, fourth Earl of Rothes, and by her had issue,

1. *Robert.*

2. Hon *James* Douglas, commendator of Melrose, married to Jean, daughter of Sir James Anstruther of Anstruther.

3. Hon Sir *Archibald* Douglas, who got from his father the lands of Kirkness and Kynneswood, 27th December 1594, ancestor of the Douglasses of Kirkness, Kinglassie, and Strathendrie.

Ib. L. xl. No. 17.

4. Hon. Sir *George* Douglas of Keilor.

1. Lady *Margaret*, married in 1574 to Sir John Wemyss of Wemyss, without surviving issue.

2. Lady *Christian*, married, first, contract dated 17th February 1575-6, to Laurence, Master of Oliphant; she had a charter from his father, Laurence, Lord Oliphant, in implement of that contract, of the lands of Polkerik in the barony of Kelly in Fife, 7th April 1576; she married, secondly, Alexander, first Earl of Home, from whom she had a charter of Dunglass, 29th November 1586. She had one son by her first husband.

3. Lady *Mary*, married to Walter, Lord Ogilvy of Deskford, and had issue.

4. Lady *Eupheme*, married to Sir Thomas Lyon of Auldbar, high treasurer of Scotland.

5. Lady *Agnes*, married to Archibald, seventh Earl of *Argyll*, and had issue.

Morton.

6. Lady *Elisabeth*, married to Francis, ninth Earl of Errol, and had issue.

XIII. ROBERT DOUGLAS, the eldest son, had a charter, Roberto Douglas, filio et heredi apparenti *Willielmi* Douglas de Lochleven, of the baronies of Kellour in Strathern, Lugton, with the fortalice, in the county of Edinburgh, and Longnewton in Roxburghshire, dated 26th July 1565, on his father's resignation. He perished at sea going to Holland with his brother-in-law, the Master of Oliphant, in March 1584. He married Jean, only daughter of John, tenth Lord Glamis, and by her, who married, secondly, in 1586, Archibald, Earl of Angus and Morton, thirdly, Alexander, first Lord Spynie, had a son,

Mag. Sig. L. xxxii. No. 467.

Inq. Ret. in Pub. Arch.

XIV. WILLIAM, seventh Earl of MORTON, who was born in 1582, and was served heir of his father, 3d July 1605, and of his grandfather, 4th November 1606. He possessed excellent natural parts, highly improved by a liberal education, and foreign travel. He had charters of Dumfidling, 24th March 1613, of the baronies of Kinross and Segy to him and Robert, Lord of Dalkeith, Master of Morton, his son, 9th October 1616, of the barony of Scheref-hall, 3d November 1622, of the baronies of Aberdalgy and Duplin, 6th December 1625, also of the lands of Blairfrith, Stentoun, Classie-Douglas, Killenoquhyis, Keltoun, and Cullindranis, and of the teind-sheaves of Portmoak. He had a charter of the Earldom of Morton, with the title of Earl, 16th March 1638. Soon after his return from his travels, he was sworn a privy-councillor, and appointed one of the gentlemen of the bedchamber to King James VI., in which office he was continued by King Charles I. He was constituted high treasurer of Scotland, 12th April 1630; held that office till 1635, when he was appointed captain of the yeomen of the guard; and he was invested with the order of the garter, and sworn a privy-councillor in England. He was nominated, in 1641, to the office of high chancellor; but this nomination being opposed in

Ibid.

Mag. Sig. L. xlvii. No. 97. L. xlviii. No. 180. L. li. No. 94. L. lii. No. 35, 232. L. liv. No. 35. L. lv. No. 60, 385. L. lvi. No. 28.

Crawf. Off. St. 405.

Morton. parliament by his son-in-law, the Marquis of Argyll, with much heat, the King passed therefrom. Before the civil wars broke out, the Earl of Morton was one of the richest and greatest subjects in the kingdom. Espousing the royal cause with zeal, he advanced considerable sums for its support, disposing, for that purpose, of the noble property of Dalkeith, and other estates, to the value of no less than L.100,000 Scots of yearly rent. On that account the islands of Orkney and Zetland, with the whole jurisdictions and royalties belonging to them, were granted to his Lordship, 15th June 1643, by royal charter, redeemable by the crown on payment of L. 30,000 Sterling. When Charles I. came to the Scotish army in 1646, the Earl of Morton went to Newcastle to wait on his Majesty; he afterwards retired to Orkney, where he died on the 7th of August 1648, in his 66th year. He married Lady Anne Keith, eldest daughter of George, fifth Earl Marischal, by whom he had issue,

Mag. Sig. L. lvii. No. 334.

1. *Robert*, eighth Earl of Morton.

2. *James*, tenth Earl of Morton.

3. Hon. *John* Douglas, who lost his life in the King's service, in an engagement at Carbardale in 1650.

4. Hon. *George* Douglas, an officer in the service of the states of Holland, where he rose to great preferment, and died without issue.

1. Lady *Agnes*, married to George, second Earl of Kinnoul.

2. Lady *Margaret*, married to Archibald, Marquis of Argyll.

3. Lady *Mary*, married to Charles, second Earl of Dunfermline.

4. Lady *Jean*, married to James, second Earl of Home. All had issue.

5. Lady *Isabel*, married, first, to Robert, first Earl of Roxburgh, without issue; secondly, to James, second Marquis of Montrose, and had issue.

XV. ROBERT, eighth Earl of MORTON, the eldest son, had a charter to Robert, Lord Dalkeith, of some acres in Kinross, 3d November 1632, was served heir of his father, 29th March 1649, and died in Orkney towards the end of the same year. He married Elisabeth, daughter of Sir Edward Villiers, knight, president of Munster, niece of George, Duke of Buckingham, and sister of William, Viscount Grandison, and by her, who died in December 1654, had four children,

Mag. Sig. L. liv. No. 34. Inq. Ret. in Pub. Arch. Lamont's Annals, MS.

Morton. Carta penes Com. de Morton. D.

1. *William*, ninth Earl of Morton.

2. Hon. *Robert* Douglas, who was a lieutenant of the gens d'armes in France, master of the horse to Henrietta, Duchess of Orleans, and lieutenant of the horseguards of Charles II. He died without issue 1661.

1. Lady *Anne*, married in April 1654, to William, seventh Earl Marischal, without issue.

2. Lady *Margaret*, married at Perth, 24th July 1662, to Sir James Macdonald of Slate, baronet, and had issue.

Lamont's Annals, MS.

XVI. WILLIAM, ninth Earl of MORTON, the eldest son, succeeded his father in 1649, and in 1662 procured a new grant of the islands of Orkney and Zetland on the same terms as formerly, not in his own name, as his affairs were in disorder, but in that of Viscount Grandison, in trust for the Morton family. Both this and the former grant were contested by the King's advocate; and being reduced, these islands were by act of parliament, 27th December 1669, annexed to the crown. The Earl of Morton married at Holyroodhouse, 12th June 1662, Lady Grizel Middleton, eldest daughter of John, first Earl of Middleton, then his Majesty's high commissioner, by whom he had a son, *Charles*, Lord Dalkeith, who died before his father, unmarried; and his Lordship dying without surviving issue, in 1681, the title devolved on his uncle,

Ibid.

XV. JAMES, tenth Earl of MORTON, who had the stile of Sir James Douglas of Smithfield, previous to that period. He was knighted by the Earl of Lindsay under the royal standard, at the isle of Rhee, for his gallant behaviour; was a gentleman of the privy chamber to Charles I.; succeeded to the title 1681, and died in 1686. He married Anne, daughter and heiress of Sir James Hay of Smithfield, by whom he had a daughter, who died unmarried, and five sons,

1. *Charles*, Lord Aberdour, who perish-

Morton. ed at sea on his passage to Holland, unmarried.

2. *James*, eleventh Earl of Morton.

3. *Robert*, twelfth Earl of Morton.

4. Hon. *William* Douglas, who died without issue.

5. *George*, thirteenth Earl of Morton.

XVI. JAMES, eleventh Earl of MORTON, succeeded his father in 1686, was hearty for the revolution, a privy-councillor to Queen Anne, and one of the commissioners for the union, which he zealously supported in parliament. Macky describes him as very fair, sanguine-complexioned, well-shaped, taller than the ordinary size, and towards 55 years old. He obtained, in 1707, an act of parliament granting the islands of Orkney and Zetland to himself and his heirs, in form of a mortgage, redeemable on payment of L. 30,000, and subject to an annuity of L. 500. He died unmarried in December 1715.

XVI. ROBERT, twelfth Earl of MORTON, his brother and successor, a man of parts, honour, and probity, peculiarly well versed in the knowledge of the antiquities of his country, also died unmarried in 1730. His brother,

XVI. GEORGE, thirteenth Earl of MORTON, was an officer in the army, wherein he served with no small reputation, and rose to the rank of colonel. He was member for Kirkwall in the last parliament of Scotland, steadily supported the treaty of union, and was nominated one of the members of the House of Commons to the first parliament of Great Britain, February 1707. He was chosen member of parliament for Peebles, &c. at the general election 1715; for the county of Orkney 1722 and 1727; his seat became vacated on his succession to the title of Morton, 1730; he was appointed vice-admiral of Scotland, May 1733; and dying at Edinburgh on the 4th of January 1738, in the 77th year of year of his age, was buried in the Grayfriars there.

He married, first, a daughter of Muirhead of Linhouse, in the county of Edinburgh, by whom he had a son, who died in infancy; secondly, Frances, daughter Morton. of William Adderly of Halstow in Kent, and by her had three sons,

1. *James*, fourteenth Earl of Morton.

2. Hon. *William* Douglas, died young.

3. Hon. *Robert* Douglas, elected member of parliament for Orkney in room of his father 1730, rechosen at the general election 1734 and 1741. Choosing the military profession, he served as a volunteer in the imperial army 1735, had a company in the third regiment of foot guards in May 1740, was appointed aid-de-camp to the King, with the rank of colonel in the army, in July 1743, and was with the British troops on the continent when Marechal Belleisle was taken travelling in Hanover without a passport. Colonel Douglas was directed to conduct him to England in February 1745, executed that commission with the utmost politeness and attention, and returning directly to the continent, was killed at the battle of Fontenoy, 30th April 1745, regretted by all who knew him, without legitimate issue.

XVII. JAMES, fourteenth Earl of MORTON, "a nobleman of distinguished abi- Wallace, 375.
"lities, as well as of eminent learning," born about 1702, succeeded his father 1738, was the same year invested with the order of the Thistle, and in 1739 appointed a lord of the bed-chamber, in room of the Earl of Selkirk deceased, to whose seat, as one of the sixteen representatives of the Scotish peerage, he was also elected 12th May 1739, and was rechosen at the general elections 1741, 1747, 1754, and 1761, frequently speaking in the House of Lords, in which he sat for thirty years. Visiting Orkney in 1739, his Lordship had severe contests with Sir James Stewart of Burray, baronet, which were the subject of *judicial* investigation, 1740; the Earl was assoilzied, and Sir James Stewart found guilty, fined, and imprisoned for assaulting his Lordship. In 1742 he obtained an act of parliament "for 15. Geo. II.
"dissolving and disannexing from the Pr. 4.
"crown, and the patrimony thereof, the
"earldom of Orkney and lordship of Zet-
"land, and vesting the same irredeemably
"in James, Earl of Morton, and his heirs,
"discharged of any power or right of re-
"demption in his Majesty, his heirs or

Morton.

"successors." He also got a temporary lease of the rents of the bishoptick of Orkney, and a donation of the rights of admiralty, which, in these islands, had always been considered as distinct from those of the admiralty of Scotland*. On account of the manner in which the rents, feu-duties, and services were exacted, his Lordship was molested with complaints without end, opposed in every measure, and embroiled in troublesome quarrels and expensive law-suits; he therefore disposed of his whole property in Orkney and Zetland to Sir Laurence Dundas. Being in France, 1746, his Lordship was imprisoned in the Bastile. His lady and child, and a sister of the Countess of Morton, were also imprisoned there, but in separate apartments. The cause of this imprisonment was never avowed. After three months confinement, his Lordship and family were allowed to remove to his own house, and being soon after permitted to leave the kingdom, he and his lady landed at Dover, 3d May 1747. His Lordship was appointed lord clerk register of Scotland in 1760, on the death of the Hon. Alexander Hume Campbell. Such were his scientific attainments and philosophical knowledge, that he had the high honour of being chosen to fill the president's chair of the Royal Society, in room of the Earl of Macclesfield deceased, 27th March 1764, and held that office till his death at Chiswick, 12th October 1768, in his 66th year, at which time he was also one of the trustees of the British Museum, and a commissioner of annexed estates.

Barry's History of Orkney, 260.

He married, first, Agatha, daughter and heiress of James Halyburton of Pitcur, in the county of Forfar; she died at Edinburgh, 12th December 1748, and was buried at Aberdour, having had issue,

Edin. Reg.

1. *Charles*, born 7th April 1731, died young.

2. *Sholto Charles*, fifteenth Earl of Morton.

3. Hon *James* Douglas, born 6th October 1734, died at Westminster school, 11th August 1746, æta. 12. Morton.

4. Hon. *George* Douglas, died young.

5. Hon. *Robert* Douglas, died young.

1. Lady *Frances*, died at Aberdour, 9th May 1739, in her sixth year.

2. Lady *Mary*, married, 23d April 1774, to Charles, fourth Earl of Aboyne, and has issue.

He married, secondly, at London, 29th July 1755, Bridget, eldest daughter of Sir John Heathcote of Normanton, in the county of Rutland, baronet, and by her, who surviving him 37 years, died at London, 2d March 1805, æta. 82, had two children.

1. Hon. *John* Douglas, born 1st July 1756, was an officer of the first regiment of foot-guards, in which he had a lieutenancy, 26th June 1778, and a company, with the rank of lieutenant-colonel, 26th June 1786. He was, 6th June 1809, appointed one of the commissioners, for conducting the transport service, and for the care of sick and wounded seamen, and for the care and custody of prisoners of war. He married, 4th October 1784, the Hon. Frances Lascelles, born 11th June 1769, eldest daughter of Edward, Lord Harewood, and has issue, 1. Frances, born 10th January 1786, married at St James's church, London, 21st April 1804, to the Hon. Major-General William Stewart, M. P. second son of John, seventh Earl of Galloway, and has issue. 2. Anne, born June 1787, died an infant. 3. George Sholto, born 23d December 1789. 4. Edwin, twin with George, died an infant. 5. Charles, born 10th March 1790. 6. Harriet, born 8th June 1792, married at London, 25th November 1809, to James, Viscount Hamilton, eldest son of John James, Marquis of Abercorn. 7. Charlotte, born 11th July 1793. 8. Emma Elisabeth, born 8th October 1794.

2. Lady *Bridget*, born 3d May 1758, married, 14th August 1777, to the Hon. William Henry Bouverie, second son of William, first Earl of Radnor; he died 25th August 1806, leaving a son, a captain in the army, and three daughters.

XVIII. Sholto Charles, fifteenth Earl of Morton, born 1732, raised in 1759 a corps of light dragoons, of which he was made captain-commandant, 10th October

* Under the act for abolishing heritable jurisdictions 1747, his Lordship had allowed him for the office of stewart and justiciar of Orkney and Zetland, L. 7147, and for the regality of Aberdour L. 93:2s., in full of his claim of L.8200.

Morton.

that year. He was one of the lords of police at the accession of George III., and held that office till his death. On the demise of Colonel James Halyburton of Pitcur at Dundee, 9th May 1765, that estate devolved on the Hon. Hamilton Douglas Halyburton, second son of Lord Aberdour, who became fifteenth Earl of Morton on his father's death, 1768, and died at Taormina in Sicily, 25th September 1774, æta. 42.

He married at Edinburgh, 19th November 1758, Katherine, fourth daughter of the Hon. John Hamilton, second son of Thomas, sixth Earl of Haddington, and by her had two sons,

1. *George*, sixteenth Earl of Morton.

2. Hon. *Hamilton Douglas* Halyburton of Pitcur, born 10th October 1763, who devoted himself early to the sea service, and pursued it with unremitted ardour and application through much hard duty. He learned the rudiments of his profession on board the Apollo frigate, under Captain Pownall, by whom he was much beloved for his warmth of affection, his openness and generosity of temper, and his gallant spirit. He was first lieutenant on board the Assistance of 50 guns, Commodore Sir Charles Douglas, Bart. sent to superintend the evacuation of New York, December 1783. No pilot would come off to conduct the ship over the bar, when Mr Halyburton undertook the pilotage, which he accomplished with success, from observations made by him on board the Apollo when only 14. On the 30th of December 1783, about 5 P. M., the long-boat being sent to fetch water from a transport that lay at a small distance, the crew seized and secured the officer who commanded, hoisted sail, and the wind being fair in-shore, made for the land. This daring and mutinous act being seen by the officers of the Assistance, all that were then on the quarter-deck voluntarily offered to pursue the deserters; this spirited offer was accepted, and the barge immediately manned with twelve young gentlemen and one mariner, it not being judged prudent to trust more of the common sailors on such service, Lieutenant Halyburton undertaking the command. The wind was high when the barge left the ship; it soon blew a storm, with violent snow and thick weather; and night coming on, the whole hemisphere was involved in inexpressible horror and darkness. The weather did not clear up till the morning of 1st January 1784, when the barge was discovered lying on her side on the Jersey shore, and the dead bodies of all her gallant crew on their faces in the mud, from whence they had struggled in vain to extricate themselves. The relations of Lieutenant Halyburton, who thus unfortunately perished in the 21st year of his age, erected a monument at Sandyhook to his memory, and that of his fellow sufferers. The estate of Pitcur, in virtue of the entail under which it was held, devolved on his aunt Mary, Countess of Aboyne.

XX. George, sixteenth Earl of Morton, born 3d April 1761, was chosen one of the sixteen representatives of the Scotish peerage at the general election 1784; created a peer of Great Britain, by the title of Baron Douglas of Lochleven, 10th July 1791; was appointed chamberlain of the Queen's household 1792, and invested with the order of the Thistle at St James's, 26th July 1797. His Lordship is vice-president of the Royal Society, a vice-president and manager of the Royal Institution, vice-president of the Veterinary College, lord-lieutenant of the county of Fife, and colonel of the Fifeshire militia.

Titles.—George Douglas, Earl of Morton, Lord Dalkeith, Aberdour, and Douglas of Lochleven.

Creations.—Earl of Morton, in the county of Edinburgh, 14th March 1457-8. Scotish title.—Baron Douglas of Lochleven, 10th July 1791. British title.

Arms.—Quarterly: 1st and 4th argent, a man's heart, gules, ensigned with an imperial crown, proper, on a chief, azure, three mullets, argent; the paternal coat of Douglas. 2d and 3d argent, three piles, issuing from the chief, gules, the exteriors charged with a mullet, of the first; for Douglas of Dalkeith and Lochleven.

Morton.

CREST.—A wild boar, proper, striking between two clefts of an oak tree, a chain and lock holding them together.

SUPPORTERS.—Two savages, wreathed about their head and waists with oak leaves, each holding a baton in his hand, the great end on the ground, all proper.

Morton.

MOTTO.—*Lock sicker.*

CHIEF SEATS.—Dalmahoy House, in the county of Edinburgh; and Aberdour, in Fife.

NAIRN, LORD NAIRN.

Nairn.

Reg. Mag. Sig. 298. Book of Original Writs, penes Macfarlane. D. Chartul. of Dunfermline, 260. D. Fœdera, IX. 283, 286. Chartul. of Moray, 686, 668, 670. 15.

MICHAEL DE NARNE, witnessed a charter of Robert, Duke of Albany, to Andrew de Hamylton, of the lands of Gallyston, 10th February 1406-7. Nobilis vir Johannes de Nairn occurs in 1426. William Nairn witnessed a donation of David Menzies of Weem, to the monastery of Dunfermline, in 1438. Alexander Narne of Sandford, comptroller of the household to James II., was a commissioner to treat with the English, 17th April and 5th July 1457; and witnessed three charters of that prince, under the designation of Alexander Nairn, nostrorum computorum rotulator. The Nairns divided into two branches, the one of Sandford, and the other of Mukkersy. John Narne, and Margaret Oliphant, his wife, had a charter from George Bishop of Dunkeld, of the lands of Mukkersy, 7th December 1511. George Narne of Mukkersy, and George, his son, witnessed a charter, 5th July 1553. They were probably ancestors of

Mag. Sig. L. xxxi. No. 42. L. xxxi. No. 148.

I. THOMAS NAIRN of Mukkersy, who had a charter of the lands of Ochtergaven and mill thereof, to him and Elisabeth Fife, his wife, and the heirs male procreate betwixt them; which failing, to the said Thomas, his heirs and assigns whatsoever, in 1605. He had a son,

L. xliv. No. 92.

II. ROBERT NAIRN of Mukkersy, who became a member of the Faculty of Advocates, and had a charter, dated 19th July 1621, Magistro Roberto Narne de Muckarsie, advocato, of the lands of Regortoun, Blackhall, a salmon-fishing on Tay, the lands of Pitlandie, Balbrogo, Letham, hill of Strathord, Cowfuird, Blealock, Gourdieshill, Greigorstoun, Keinlands, Drumquhar, Cokkertoun, Shannell, Strathord Loack, Ochtergavin, &c.; all united into the barony of Strathord. He died in February 1652; and, on the 30th of April 1658, his son, Robert Nairn of Strathord, was served heir of him, in the barony of Strathord and other lands. He married Margaret, daughter of Sir John Preston of Pennycuick, president of the Court of Session, from 1609 to 1616, and by her had issue,

Nairn.

Mag. Sig. L. xlix. No. 302.

Inq. Ret. xxv. 88.

1. *Robert.*
2. *John* Nairn of Mukkersy.
3. *Alexander* Nairn of Greenyards.
4. *William*, a captain in the service of King Charles II., killed at the battle of Worcester, 1651.

1. *Agnes*, married to William Blair of Tarsapie.

2. *Elisabeth*, married to Sir David Falconer of Newton, president of the Court of Session from 1682 to 1685.

III. ROBERT NAIRN of Strathord, the eldest son, also became a member of the

Faculty of Advocates. He was, along with the Earls of Crawford, Marischal, Leven, and other royalists, taken prisoner by the English, at Alyth, in Forfarshire, 28th August 1651, and sent to the Tower of London, where he remained till the restoration of King Charles II., who was pleased, in consideration of his loyalty and sufferings in the royal cause, to confer the honour of knighthood on him, and to appoint him one of the lords of session, 1st June 1661; and one of the judges of the court of justiciary, 11th January 1671. He was created a peer, by the title of Lord Nairn, by patent, dated at Whitehall, 27th January 1681, to himself, for life, and, after his decease, to Lord William Murray, son of the Marquis of Atholl, and the heirs to be procreated betwixt him and Margaret Nairn, only daughter of the said Lord Nairn, quo deficiente matrimonio in quemcunque alium filium dicti Marchionis de Atholl, cui dictam Dominam Margaretam Nairn nubere contigerit, et heredes inter illos succedentes terris et statui dicti Roberti infeofamentis earundem illi conficiend. content. tantummodo, seclusis omnibus aliis talliæ heredibus inibi memorat. Robert, first Lord Nairn, was, on the 21st of February 1683, served heir of his father, in Easter Greinyeard, and other lands, in Stirlingshire, and died the same year, leaving, by his wife, Margaret, daughter of Patrick Graham of Inchbrace, an only daughter,

Inq. Ret. xxxvii. 91.

Margaret, born 16th December 1669, served heir of her father, 25th July 1683, married to

Edin. Reg.

IV. Lord WILLIAM MURRAY, second Lord NAIRN, fourth son of John, first Marquis of Atholl, by Lady Amelia Stanley, daughter of James, Earl of Derby. He was bred to the sea service, and shewed signal instances of bravery; did not take the oaths to government, or his seat in parliament after the revolution; engaged in the rebellion, 1715; was taken at Preston, 14th November that year, and sent prisoner to the Tower of London. He was brought to his trial, 19th January 1716, when he pled guilty; was sentenced, 9th February, to be executed; but was respited, and afterwards pardoned. An act of parliament was passed in 1716, to enable the King to make provision for Margaret, Lady Nairn, and her children, out of her paternal estate forfeited during the life of Lord William Murray, Lord Nairn, her husband. He died in 1725; and she survived till 14th November 1747, when she died in her 78th year. They had issue,

1. Hon. *John* Nairn.

2. Hon. *Robert* Nairn, who married Jean Mercer, heiress of the ancient family of Mercer of Aldie, in Perthshire. He engaged in the rebellion, 1745, and was killed at the battle of Culloden, 16th April 1746, by which the estate was saved from forfeiture. She died 1st December 1749, æta. 52. Their eldest son, Colonel William Mercer of Aldie and Meikleour, married, at Edinburgh, 3d April 1769, Margaret Murray, heiress of Pitkeathly, and died at Meikleour, 19th January 1790, leaving three daughters; the eldest daughter, Jane, married, 9th April 1787, George, Lord Keith, and their only child, the Hon. Margaret Mercer Elphinston, inherits the estates of Aldie and Meikleour, the antient patrimony of the Mercers.

3. Hon. *William* Nairn, captain of the Calmar Swedish East Indiaman, who died off St Helena, 25th March 1743, without issue.

4. Hon. *James* Nairne, an officer in the British service.

1. Hon. *Margaret* Nairn, married, contract dated 1st November 1712, to William, fourth Viscount of Strathallan, and had issue, and died at Machany, 18th May 1773.

2. Hon. *Amelia Ann Sophia* Nairn, married to Laurence Oliphant of Gask, in Perthshire; and died at Gask, 18th March 1774, leaving issue.

3. Hon. *Catherine* Nairn, married to William, fourth Earl of Dunmore, and had issue.

4. Hon. *Marjory* Nairn, married, in 1739, to Duncan Robertson of Drumaquhain, heir male of the family of Strowan, and died at Potterhill, January 1793.

5. Hon. *Charlotte* Nairn, married to John Robertson of Lude, and died at Perth, 11th August 1787.

6. Hon. *Mary* Nairn, died unmarried at Gask, 2d March 1774.

Nairn.

7. Hon. *Louisa* Nairn, married, 24th April 1743, to David Graham of Orchil; and died at Gask, 5th April 1782.

8. Hon. *Henrietta* Nairn, died, unmarried, at Gask, 19th August 1802, æta. 89.

V. The Hon. JOHN NAIRN, the eldest son, born about 1691, engaged in the rebellion, 1715; was lieutenant-colonel of Lord Charles Murray's regiment; was taken at Preston, 13th November 1715; was forfeited, and obtained, in 1737-8, an act of parliament, "to enable him to sue or "maintain any action or suit, notwithstanding his attainder, and to remove "any disability in him by reason of his said "attainder, to take or inherit any real or "personal estate, that may or shall hereafter descend or come to him." He engaged again in the rebellion, 1745, for which he was included in the act of attainder, 1746. He died in France, 11th July 1770, æta. 79. He married his cousin, Lady Catherine Murray, third daughter of Charles, first Earl of Dunmore, and by her, who died at Versailles, 9th May 1754, had eight sons and three daughters, five of whom died very young. The others were,

1. *James*, who died unmarried.

2. *John*.

3. *Charles*, an officer in the service of the States-General, who died in June 1795.

4. *Thomas*, an officer in Lord John Drummond's regiment. He was taken, in October 1745, in the Esperance, on his passage to Scotland, to join the Pretender. He died at Sancerre, in France, 3d April 1777.

5. *Henry*, an officer in the French service.

Daughter, *Clementina*, died in France unmarried. Nairn.

VI. JOHN NAIRN, the eldest son, was a captain in the first regiment of foot, 1747, and attained the rank of lieutenant-colonel in the British service. He married Brabazon, daughter of James Wheeler of Lyrath, in Ireland, by whom he had three children,

1. *John*, an officer in the army, who died in America, unmarried.

2. *William*.

Daughter, *Brabazon*, died unmarried.

VII. WILLIAM NAIRN, the only surviving son, and representative of the family, is assistant inspector-general of barracks in Scotland, and a major in the army. He married, in June 1806, Caroline, third daughter of Laurence Oliphant of Gask, by whom he has a son,

William, born in 1808.

ARMS.—Quarterly: First and Fourth, party per pale, sable and argent, a chaplet, with four cinquefoils; all counterchanged, for Nairn. Second, azure, three stars within a double tressure, counterflowered with fleurs-de-lis, Or, for Murray. Third, 1st and 4th, Pally of six, Or, and sable, for Atholl. 2d and 3d, Or, a fess cheque, argent, and azure, for Stewart, Earl of Atholl.

SUPPORTERS.—Two greyhounds, proper.

CREST.—A sphere.

MOTTO.—Above the crest, *Plus ultra*. Below the arms, *L'esperance me comfort*.

NAPIER, LORD NAPIER.

Napier.

Genealogical Account of the Family of Napier, drawn up from Authentic Records and Original Papers, in Lord Napier's Charter-Chest.

THE surname of Napier is of no small antiquity in both parts of the united kingdom. In the Calendarium Rotulor. Chart. et Inquis. ad quod damnum, printed in pursuance of an address of the House of Commons, 1803, is a charter of the 44th of King Henry III. (1259) Johes le Naper, Venator Regis Haveringe, Maner, 18 acres

Napier.

terre messuag. Essex. The immediate ancestor of Lord Napier's family appears to have been

Chartul. of Lennox, 32, 59. IX.

I. JOHN DE NAPIER, who had considerable estates in the county of Dunbarton, and is mentioned in a charter of Malcolm, Earl of Lennox, to Patrick, son of Sir Patrick Lindsay, 1280. He is witness to another charter of the same Earl, 1294. Johan le Naper, Johan le Naper del Counte de Dunbretan, and Matheu le Naper de Aghelek, swore fealty to King Edward I., 1296. John de Napier, was one of those who defended the castle of Stirling against Edward, but were obliged to surrender, 1304. After they had experienced the most humiliating indignities, the sentence of the English monarch was, "Let "them not be chained," (præcepit eosdem absque vinculis ferreis custoditi). He was fined in three years rent of his estate, by the same monarch, for his adherence to the cause of his country, 15th October 1305.

Prynne, III. 655, 656, 657.

Fœdera, II. 962, 970.

Robertson's Index, 61, 47, 36.

II. WILLIAM DE NAPIER, probably son of John, had a charter from King David II. of the lands of Petfour and Parknock, in Perthshire; and the half lands of Kilmahew *, where the chapel is situated, in Dunbarton, forfeited by Dornagill Montefixo. Among the missing charters of that monarch are two to Duncan Naper, of the lands of Petfour and Drumgran, in Perthshire, forfeited by Dornagill Moffat, and of the lands of William Edinburgh, within the town of Edinburgh, forfeited by the said William, who was slain by Duncan Cissore, burgess of Inverkeithing. William de Napier was, as is said, father of

III. JOHN DE NAPIER, who, according to the first edition, was employed in several negotiations with the court of England, and had a pension of 50 marks sterling settled on him for life, anno 1368, for which reference is made to Macfarlane's Collections, I. 119. On referring thereto, the grant of the pension is as follows: Henricus D. G. Rex Angliæ, &c. sciatis quod nos bona et gratuita obsequia quæ dilectus nobis Johes Naper, de regno Scocie, armiger, nobis impendit et in futurum impendere desierat consideratnes, de gratia nostra speciali concessimus ei 50 marras habendas et percipiendas annuatim, pro termino vitæ suæ, ad receptum Scacarii Angliæ. Apud Edin. 28 Augusti, anno regni 39. Thus there appears a mistake in Douglas, Edward III. reigning in 1368; the only Henrys whose reigns exceeded thirty-eight years, were Henry III. and VI.: the former never appears to have been in Scotland; but the latter, it is well known, retired into Scotland after the battle of Towton, fought 29th March 1461, which answers to the 39th year of his reign. Thus, it is probable, that 1461 is the true date; and in that case the pension must have been bestowed on John Napier of Merchistoun, who was in the family of Mary, Queen Dowager of Scotland, 1461. There was, however, a John de Naper about 1368, and he was father of

Napier Genealogy.

IV. WILLIAM DE NAPER, who got a charter under the great seal, Willielmo Naper, filio quondam Joannis Naper, of the lands of Easter Garmylton, in the constabulary of Haddington, which were resigned by William Naper, son of John Naper of Garmylton, dated at Methfen, 4th February, 6 Robert II. (1376-7). He got a charter from King Robert III., confirming a former charter of Robert II. of certain lands in King's Cramond, in the county of Edinburgh, on the resignation of John Rede, son of Simon Rede. The original is dated at Edinburgh, 8th December 18 Rob. II. (1388); and the confirmation at Perth, 16th February, 1 Robert III. (1390-1 *). He was governor of the castle of Edinburgh, as in a charter to Alan Lauder, Willielmus de Napier, custos castri de Edinburgh, is a witness, 1401. He had a son,

Robertson's Index, 119. Reg. Mag. Sig. 125.

Penes Com. de Lauderdale. D.

V. ALEXANDER NAPIER, of whom no doubt can be entertained as to his being the real progenitor of the Napiers of Mer-

* John Napier of Kilmahew, is witness to a charter, dated 10th February 1406-7. Robertson's Index, 163.

* William Naper had a charter of the lands of Wrightshouses, one part thereof, by the resignation of Ade Forrester, blench, for a penny; and of the sheills of the mills of Peebles, blench, from King Robert III. Robertson's Index, 137.

Napier.

Penes D. Napier.

chistoun. He was provost of Edinburgh, 1437; and is designed burgess of Edinburgh, in a charter of some ground at Leith, granted by him to John Cuthbertson, 13th March 1452-3. To this charter is appended the seal of Alexander Napier, being a saltire engrailed between four roses, which completely refutes the assertion, that these arms, being those of the Earl of Lennox, were assumed by John Napier, grandson of this Alexander, on his marriage with Elisabeth Menteith, one of the heirs of line of Duncan, Earl of Lennox. The time of the death of this Alexander Napier is unknown; in the first edition, it is said he acquired the lands of Merchistoun; it is probable he may have done so; it is certain that his son was possessed of these lands in 1456. His son,

VI. Sir ALEXANDER NAPIER of Merchistoun, is designed son and heir of Alexander Napare, burgess of Edinburgh, in a charter of an annualrent of two marks to him from Ada Bonkil, son of John Bonkil, burgess of Edinburgh, 6th September 1432. He held the office of comptroller to King James II., as appears from a charter of that monarch, 7th March 1449-50, dilecto nostro Alexandro Napare, nostrorum computorum rotulatori, pro suo continuo et fideli servitio quondam carissimæ matris nostræ reginæ impenso, et in remunerationem et recompensationem lesionis sui corporis, ac gravaminum et dampnorum sibi illatorum, tempore pessimæ captionis et incarcerationis dictæ carissimæ matris nostræ, per Alexandrum de Levingston, militem, et Jacobum de Levingston, filium suum, ac suos complices nequiter perpetrat. Et pro dicti etiam Alexandri Napare, fideli servitio nobis impenso et impedendo, totas et integras terras nostras de Philde, &c. jacentes in dominio nostro de Methven, infra vicecom. de Perth. This charter proves the imprisonment of the queen-mother by the Livingstones, and the loyalty of Alexander Napier, who was wounded in defending the Queen. These lands of Philde were in the gift of the crown, by the forfeiture of Alexander Levingston, son of Sir Alexander de Levingston, mentioned in the charter. Another charter of the same lands of Philde was granted to Alexander Napier, the comptroller, and Elisabeth, his wife, 9th March 1450-1.

Ibid.

Mag. Sig. L. iv. No. 4.

L. iv. No. 137.

Napier.

Alexander Napier was one of the ambassadors sent to England, 1451, for the purpose of obtaining a prolongation of the truce, which was accordingly agreed to for three years; and he took this opportunity of paying his devotions at Canterbury. He obtained a charter of the lands of Lindoris and Kinloch, in Fife, 24th May 1452. He was provost of Edinburgh, 1455; and is so designed in a notorial instrument, dated 13th August 1457.

Fœdera, XI. 288, 291, 299, 302.

Mag. Sig. L. iv. No. 283.

Among the records of the city of Edinburgh is a feu-charter granted by the provost, bailies, and community of Edinburgh, with consent of Sir Robert Linton, chaplain of the altar of St Catharine, in the church of Edinburgh, whereby they did set in feu farm to an honourable man, Alexander Naper of Merchiestoun, burgess of Edinsburgh, the lands of Over Merchamestoun, pertaining to the said altar, to be holden by him and his heirs and assigns in feu-farm, paying yearly 20 marks Scots, in name of feu-duty, to be uplifted forth of the said lands of Over Merchamestoun, or furth of the said Alexander Naper's own lands of Nether Merchamestoun, dated 26th June 1456. Sir Robert Linton also granted a charter of the same, confirmed by King James II., 24th July 1456.

Penes D. Napier.

In the parliament held at Edinburgh, 6th March 1457-8, Alexander Nepar was one of those ordaynit and chosen for visiting the moneye; and Alexander Naper had a safe conduct into England with the Abbot of Melrose and others, 10th May 1459.

Carmichael, 46.

Fœdera, XI. 421.

King James II. granted a general receipt, under his sign manual and privy seal, to his lovit and familiar Squyer, Alexander Napare of Merchainstoune, of all sums of money received by him the time he was in office to us of comptrollership, and specially of the sum of 500 marks owing to us by the said Alexander, for the charter of the lands of Balbertane, with the mill, lying within the sheriffdom of Fife, some time belonging to our cousin James, Lord Dalkeith, dated 24th October, anno regni 20 (1456). From a discharge under the privy seal of King James III., dated at Stirling, 7th July 1461, Sir Alexander Napier (he was now a knight) appears a-

Penes D. Napier.

Napier.

gain to have been in office as comptroller; it runs thus: a dilecto milite nostro Alexandro Napare de Merchainstoune, nostrorum computorum rotulatori bonum fidele et finale computum. He had the office of vice-admiral of Scotland, being designed in a safe conduct to him as one of the ambassadors to the court of England, 24th September 1461, Alexandrum Napare de Merchainstoun, militem deputatum admiralli regni Scotiæ. A safe conduct was granted, 6th November 1464, to Alexander Nepayr, knight, to come into England. He and others were appointed searchers of the port and haven of Leith, for the purpose of preventing the exportation of gold and silver, by commission under the privy seal, 24th February 1464-5; and he was sent with the lord chancellor to negotiate the marriage betwixt King James III. and the King of Denmark's daughter, 1468. Sir Alexander Napier was one of the committee appointed by the parliament of Scotland, 6th May 1471, with the power to determine all matters that should occur for the welfare of the King and the common good of the realm. He had a discharge from John Layng, treasurer of Scotland, in the King's name, of the sum of L. 200 of usual money of Scotland, of certain finance taken up by him in the town of Bruges in Flanders, and of L. 100 for armour brought home by him for the King, dated 27th January 1472-3.

Fœdera, XI. 476, 537.

Penes D. Napier.

MS. Macfarl.

Table of the Parliament of Scotland, printed by direction of Lord Daer, p. 8, 34.

Penes D. Napier.

King James III. granted a letter of protection, under the privy seal, for the lands, servants, and goods of his beloved familiar Alexander Napare of Merchainstoune, knight, going beyond sea on his Majesty's business, from all pleas, &c. from the day of his departure to the day of his return, and forty days after, dated 1st May 1473. There is still extant a paper of instructions to Sir Alexander Napier, to be shown by by him to the Duke of Burgundy, signed by King James III., but without any date, which may possibly have been given to him at the time the protection was granted. Sir Alexander Napier held the office of master of the household to King James III., as is proved from an acquittance under his sign manual and privy-seal, dated 24th October 1473, bearing, that forasmuch as our loved familiar knight, and master of household, Alexander Napare of Merchainstoune, has compounded with us on the behalf of John Napare his son and heir, and Elisabeth his wife, for 230 marks for the composition of the part of the earldom of Levenax, pertaining to the said John by reason of his said spouse, in a part heritar of the said earldom, which sum we have, in favour of the said Alexander, for his lele and true service done of long time to us and our progenitors of most noble mind, remitted and forgiven to the said John and Elisabeth his spouse. Sir Alexander Napier died betwixt 24th October 1473, the date of that acquittance, and 15th February 1473-4, when his son was infeft as his heir.

Ibid.

Ibid.

Ibid.

Napier. Penes D. Napier.

He married Elisabeth Lauder, probably a daughter of the Laird of Hatton, by whom he had issue,

1. *John.*

2. *Henry*, who had some lands in the barony of Leslie in Fife, and was contracted to Janet, daughter of John Ramsay of Culluthy, as appears from the said John's obligation in his favour, dated 23d May 1476.

Ibid.

Daughter, *Janet*, married to Sir David Edmonston of that ilk, as is proved from a charter dated 1st October 1482.

Ibid.

VII. JOHN NAPIER of Merchistoun, the eldest son, obtained a gift under the great seal of King James II., dilecto servitori nostro Joanni Napare, filio et hæredi apparenti Alexandri Napare de Merchainstoune, pro cordiali affectione quam gerimus erga eundem, of the marriage of Elisabeth Menteth, daughter of the deceased Murdac de Menteth, and sister and one of the heirs of the deceased Patrick de Menteth of Rusky, dated at Stirling, 26th March 1455. The marriage accordingly took place, and John Napier used the designation of Merchistoun and Rusky indiscriminately. He was in the household of Mary, dowager of James II., as appears from a charter granted by her Majesty, dilecto *familiari* scutifero nostro Johanni Napare de Rusky, for his life, and after his decease, to his second son George and his heirs, which failing, to the nearest heir whatsoever of the said John, of the third part of the lands of Calziemuck in Men-

Ibid.

Ibid.

Napier.

teth, dated at Stirling, 16th July 1462. It is understood that this John Napier was the person to whom the pension of 50 marks sterling, formerly taken notice of, was granted by King Henry VI. in 1461. The epithet familiaris was of old only given to those of the King's own family; this may account for King Henry's wishing to secure a friend in his distress at the court of Scotland.

Penes D. Napier.

John Napier was infeft in the lands commonly called the Pultrelands, as nearest lawful heir of the deceased Sir Alexander Napier his father, 15th February 1473-4, was provost of Edinburgh 1470 and 1484, had a charter of the lands of Inglistoun and Annaston, from John Dalrimpil of Laucht, 26th October 1482; and he died before 12th July 1488.

He married Elisabeth, one of the two daughters of Murdoch Menteth of Rusky, co-heiress with her sister Agnes, wife of John Haldane of Gleneagles, of her brother Patrick Menteth of Rusky. Murdoch Menteth of Rusky was son of Robert Menteth of Rusky, by Lady Margaret, second daughter of Duncan, Earl of Lennox. Elisabeth Menteth, wife of John Napier,

Ibid.

was infeft in the lands of Rusky, 8th May 1473, was retoured one of the heirs general of Duncan, Earl of Lennox, in the fourth part of the earldom of Lennox, 4th November 1473, and had sasine thereof on the 16th of the same month. The heirs of Duncan, Earl of Lennox, had many disputes about the earldom. The contending parties were Stewart of Derneley, Haldane of Gleneagles, and Elisabeth Menteth. These disputes appear to have been

Ibid.

finally adjusted, 19th June 1492, when Haldane of Gleneagles consented to Elisabeth Menteth peaceably enjoying the fourth part of the earldom of Lennox, formerly awarded to her, and of which she was in possession. By the marriage of John Napier with Elisabeth Menteth, their descendants were allied to the first families in Scotland; from the same source, the Napiers of Merchistoun claim a connection with the royal family of Great Britain, in consequence of the marriage of Lord Darnley with Mary, Queen of Scots, as Lord Darnley was representative of Lady Elisabeth, daughter of Duncan, Earl of Lennox, and sister of Lady Margaret, grandmother of Elisabeth Menteth. They had issue,

Napier.

1. *Archibald.*

2. *George*, mentioned in the charter of Calziemuck, 16th July 1462, before recited. These lands were afterwards possessed by his elder brother Archibald, as appears from a charter under the great seal in his favour, 23d October 1507, containing these words, qui quid. Georgius religionem ordinis fratrum minorum ingressus est, et ad eandem rite professus est, absque heredibus legitimis de corpore suo procreatis.

Penes D. Napier.

3. *John*, who got a charter, 15th August 1487, to John Napere, son of John Napere of Merchamestoun, of the lands of Balcormo in Fife. He married Margaret Preston, and had a wadset of the lands of Nether Merchistoun, which was redeemed from his widow, 24th May 1520.

Ibid.

1. *Janet*, married to William Adamson of Bonally, in the county of Edinburgh, (charter in 1535). He acquired the lands of Craigcrook in the same county, and was killed at Pinkie 1547.

2. *Margaret*, married to Thomas Corry of Kelwood; they had a charter of Drummour in Ayrshire, 13th August 1541. He was also killed at Pinkie 1547.

Mag. Sig. L. xxviii. No. 344.

VIII. ARCHIBALD NAPIER of Merchistoun, the eldest son, together with Catherine his wife, had sasine of a house in Leith, 30th September 1482. He was retoured heir of his father in the forty shilling land called the Powterlands and pertinents, lying near the village of Dene, in the county of Linlithgow, 12th December 1488; and he was infeft in the lands of Ingliston and Annaston, in the barony of Durrisdeer and county of Dumfries, 22d June 1489. He granted a charter of mortification, with consent of Elisabeth Menteth, Lady of Rusky, his mother, of ten marks yearly, for the support of a chaplain for ever, at the altar of St Salvator, within St Giles's church in Edinburgh, to pray for the souls of King James I. II. III. and IV., and of the deceased Sir Alexander Napier and Elisabeth Lauder, his grandfather and grandmother, and of the deceased John Napier and the said Elisabeth Menteth, his father and mother, and also for the souls of himself and his wife Catherine Douglas, dated

Penes D. Napier.

Ibid.

Mag. Sig. L. xiii. No. 270.

Napier.

9th November 1493, confirmed 22d February 1494-5.

Mag. Sig. L. xiii. No. 271.

A charter to Elisabeth Menteth of Rusky, and Archibald Naper of Merchainestoun, her son and apparent heir, of the lands of Over and Nether Merchainestoun, with the tower and manor-place thereof, lying in the shire of Edinburgh, and of the lands of Pultreland and the office of Pultrie, lying near the village of Dene, in the shire of Linlithgow, was granted 22d February 1494-5. Of the same date, Archibald Napier got a charter under the great seal, of the lands and mill of Gartness, the lands of Dolnare, Blareour, Gartharne, the two Bollatis, Douchlass, Badwow, Edinballe, Ballacharne, and Thomdarroch, with the forests and woods thereof, and the fishings of the waters of Anerick and Altquhore, in the earldom of Levenax and shire of Stirling, also the fourth part of the fishing of Lochlomond, the half of the lands of Ardownane, and the patronage of the church thereof, with the fishing of Lochtay within the lordship of Discher and Toyer in Perthshire, on the resignation of Elisabeth Menteth. He had charters of the Pultrelands, una cum officio Pultriæ regis, 31st March 1503.

Ibid. L. xiii. No. 603. L. xiv. No. 271.

Penes D. Napier. Mag. Sig. L. xiv. No. 432. L. xv. No. 137.

Archibald Napier had a charter of the half of the lands of Rusky, the half of the lands of Thom, the three Lanarkynnis, Cowlach, Sauchinthom, the mill of Lanark, and the lochs and fishings of all the said lands, the third part of the lands of Cailzemuch, and the fishings on the water of Teth and loch of Gudy, in the stewartry of Menteth and shire of Perth, on the resignation of his mother, 23d October 1507. He had another charter of the lands of Gartness, Rusky, Cailzemuch, &c. on his own resignation, the whole to be incorporated into a free barony, to be called the barony of Edinbellie Napier, 21st May 1509.

Penes D. Napier.

Matthew, Earl of Lennox issued a precept of clare constat for infefting Archibald Naper of Merchainstoun in the lands of Blairnavadis, isle of Inchmone, &c. as heir to his mother, the deceased Elisabeth Menteth, Lady of Rusky, 8th January 1509-10. Archibald Napier is last mentioned in a lease of the teinds of Merchistoun, 13th May 1521, and was dead before 8th May 1529.

He married, first, Catherine, daughter of Sir William Douglas of Whittinghame, she died 1498-9, as appears from an inventory taken at Merchistoun, 16th February that year. By her he had a son,

Napier.

Penes D. Napier.

Sir *Alexander*; and five daughters,

1. *Catherine*, married to Robert Buchanan, nephew and heir to Robert Buchanan of Drummakill, charter 26th May 1520.

Ibid.

2. *Isabella*, married to James Menteth, provost of Stirling, Inventory, 2d March 1511.

Ibid.

3. *Mariotta*.

4. *Janet*.

5. *Elisabeth*.

He married, secondly, Elisabeth Creichtoun, who was dead before 2d March 1511, on which day an inventory of her effects was taken at Merchistoun. She was probably mother of two sons,

Ibid.

1. *John*.

2. *William*, both mentioned in a charter of the barony of Edinbellie Napier, granted to their elder brother Sir Alexander, 21st June 1512, in which John is designed frater carnalis of Sir Alexander, and William is designed frater germanus of John. The instrument of resignation, dated 7th June 1512, upon which the charter proceeds, does not make use of the expression frater carnalis, although when it names William, it calls him frater germanus of John.

Ibid.

He married, thirdly, Margaret, daughter of Sir Colin Campbell of Glenurchy; she survived him; a precept was issued, 8th May 1529, for infefting her, relict of the late Archibald Napier of Merchistoun, in the lands of Gargunnok in Stirlingshire; she married, secondly, John Dickson, Ross herald. By her he had a son,

Ibid.

Alexander Napier of Inglistoun. He obtained infeftment of half of the lands of Gargunnok, under the designation of son of the late Archibald Napier of Merchainstoune, 13th May 1529. He confirmed a ratification of the reversion of half of the lands of Nether Merchistoun, granted to Alexander Napier of Merchistoun by Margaret Campell, mother of the said Alexander Napier of Inglistoun, and others of his tutors, 7th August 1531. This Alexander of Inglistoun must have been born

Napier. after the death of his elder brother Sir Alexander Napier, as he is not mentioned in a charter of Edinbellie Napier, 21st June 1512. It is apprehended that he was the ancestor of the Napiers of Luton-hoo in Bedfordshire, baronets, an account of whom may be seen in Collins's Baronetage*.

IX. Sir ALEXANDER NAPIER, the eldest son, obtained from his father, Archibald Napier, a charter of the lands of E-
Penes D. Napier. dinbellie, to him and Janet Chisholm his wife, 2d January 1509-10, confirmed under the great seal 4th March following. He had another charter under the great
Mag. Sig. L. xviii. No. 66. seal, proceeding on the resignation of his father, of the whole barony of Edinbellie Napier, the lands of Merchistoun, and the Pultrelands, 21st June 1512. By this charter, the lands of Merchainstoun cum castro, fortalicio, manerio, ortis et pomariis earundem, et totas et integras terras de Pulterlandis cum sequelis, bestiarum cum pastura, et pertinen. earundem, una cum officio Pultrenre, per ipsum et heredes suos eorumque deputatos ministrand. &c. were erected into one whole and free barony, to be called the barony of Merchainstoun. The limitations in this charter are to Sir Alexander Napier and Janet Chisholm his wife, and the heirs male of their bodies; which failing, to John, frater carnalis of Sir Alexander, and his heirs male; which failing, to William, frater germanus of John, and his heirs male; which failing, to the heirs male to be begotten of the body of Archibald, the father of Sir Alexander, &c. Sir Alexander Napier fell at the battle of Flodden, 9th September 1513. By his wife Janet Chisholm, daughter of Edmund Chisholm of Cromlix, who afterwards married Sir Ninian Seton of Tullibody and Touch, he had a son,

Alexander; and two daughters.

1. *Helen*, married to Sir John Melville of Raith.

2. *Janet*, married to Andrew Bruce of Powfoulis. Napier.

X. ALEXANDER NAPIER of Merchis- Penes D. Napier.
toun, the only son, was infeft in the barony of Edinbellie Napier, as heir of his father, 11th March 1513-4; he redeemed the lands of Nether Merchistoun from Margaret Campbell, *relict* of his grandfather, Archibald Napier, and her son, Alexander Napier of Inglistoun, 26th March 1529, which redemption was ratified by the said Alexander Napier of Inglistoun, 7th August 1531. Alexander Napier of Merchistoun was of the age of 21 years, 9th June Ibid.
1530, when an instrument, under the hands of a notary, was executed, declaring that he was content to pay all disbursements made by his mother and goodfather (father-in-law) to his utility and profit. During his minority, he had been prevailed on to acknowledge the receipt of 1200 marks from Archibald Douglas of Kilspindy, Isobella Hopper, his wife, and Agnes Murray, daughter of the said Isobella, a marriage betwixt him and Agnes Murray, being then in contemplation. But, by an agreement entered into, 18th June 1525, between James Chisholme, Bishop of Dunblane, Janet Chisholme, mother of Alexander Napier, Sir Ninian Seytoun of Tullibody, her husband, and Alexander Napier, on the one part, and Archibald Douglas, Isobella Hopper, and Agnes Murray, on the other part, it was provided that the above sum of 1200 marks was to be expended on the marriage of the sisters of Alexander Napier. This agreement was formally revoked by Alexander Napier, 28th September 1531, as having been obtained Ibid.
from him during his minority by sinister machinations, and to his disadvantage.

Alexander Napier got a resignation of Ibid.
the lands of Gargunnock from Margaret Campbell, relict of Archibald Napier, and her son, Alexander Napier of Inglistoun, with consent of his tutors, 15th May 1533. He and Andrew Bruce of Powfoulis, his good-brother, (brother-in-law) obtained leave from King James V. to pass into the parts of France, and there remain at their Ibid.
pleasure for the space of three years after the date of the licence under the sign manual and signet of the King, at Stirling,

* In Hutchins' Dorsetshire, II. 48, is a pedigree of the Napiers of Luton-hoo, the direct male line of which terminated in 1747, on the death of Sir John Napier, baronet; of the Napiers of Morecritchill in Dorsetshire, baronets, the direct male line of which terminated in the person of Sir Gerard Napier, baronet, M. P. for Bridport, 1765. Several branches of the Napier family still subsist in England and Ireland.

Napier. the 18th day of ——— and of his reign the 22d year (1534-5). The same monarch permits Alexander Napier to pass out of his realm by sea or land, for fulfilling of pilgrimage at John of Amiens, in France, &c. for three years, during which time the King takes his lands, servants, and property under his protection, dated at Stirling, 26th September, in the 22d year of his reign (1534). The King renewed his permission to Alexander Napier, he being ill of a fever, to remain abroad, 28th July 1537; but he was ordered home by summons, dated 1st August 1538, to the parliament ordered to meet 4th November ensuing. He received a licence from Queen Mary, permitting him to go to France or other parts beyond seas, to be cured of his infirmities and sickness, 28th March 1544. He made his last will and testament in October 1545, of which his widow and executrix, Annabella Campbell, obtained a confirmation, 12th July 1548; the confirmation states that he was killed at the battle of Pinkie, in September 1547. He was aged about 38 at his death.

Penes D. Napier.

He married Annabella, youngest daughter of Sir Duncan Campbell of Glenurchy, killed at Flodden, 1513, for which a dispensation was obtained, 9th October 1533, they being related within the fourth degree of consanguinity. They had issue,

Ibid.

1. Sir *Archibald.*

2. *Andrew*, who is witness to a reversion granted by Alexander Napier of Inglistoun, and Isabel Little, his spouse, to Archibald Napier of Edinbellie, knight, 2d April 1566.

Ibid.

1. *Margaret.*

2. *Mariotte*, married, first, to John Lowrestoun, in Gorgy, as appears from a summons from the commissaries of Edinburgh, to her brother, Sir Archibald, relative to her portion, 12th November 1565; secondly, to Archibald Bruce of Powfoulis, (charter 10th May 1570).

Ibid.

Ibid.

XI. Sir ARCHIBALD NAPIER of Merchiestoun, the oldest son, born before 1535, was infeft in the barony of Edinbellie Napier, as heir of his father, 8th November 1548; redeemed the lands of Gartness, &c. from Duncan Forester, 1st June 1555; obtained a precept of sasine for infefting him in the lands of Blairnavaddis, Isle of Inchmone, &c. 4th July 1558; acquired a piece of land in Swanstoun, in favour of himself and Jane Bothuill, his spouse, from Andrew Yorkstoun, 29th May 1563; and was knighted 1565. He granted a liferent seisin of the lands of Straybrok, to Elisabeth Moubray, his second wife, 23d October 1574; a charter of these lands had been drawn out in her favour, 13th May 1569. He granted a precept of clare constat for infefting Thomas Buchanan of Drummakill, in the lands of Blairnavaddis, Isle of Inchmone, &c. 22d January 1582-3. His seal thereto appended bears the arms of Napier, supported by two eagles, with their wings closed. The crest is a dexter arm upright, couped at the elbow, grasping a crescent, which is the same with that now borne by the family. On the more antient seals, the crest is an arm, disposed saltireways, grasping an eagle's leg. Charters were granted to Sir Archibald Napier of Edinbellie, Elisabeth Moubray, his wife, and Alexander Napier, their son and heir, of the lands and meadow, called the King's Meadow, 8th February 1587-8; and of half of the lands of Lauranstoun, &c. 16th November 1593; all in the parish of Cramond. Sir Alexander Napier built thereon the castle of Lauriston, the initials S. A. N, and D. E. M. (Dame Elisabeth Moubray) being among the decorations of two of the windows.

Napier, Mag. Sig. L. xxxi. No. 431.

Penes D. Napier.

Mag. Sig. L. xxxvii. No. 104.

L. xxxix. No. 365.

He was appointed master of the mint, 1587. In Balfour's Annals, it is noted, "10th September 1604, Napier, Laird of "Merchistoun, general of the cunzie-house, "went to London, to treat with the Eng- "lish commissioners anent the cunzie, "who, to the great amazement of the "English, carried his business with a great "deal of dexterity and skill, and, having "concluded the business he went for, he "returned home in December thereafter." He died at Merchistoun, in May 1608, aged about 74.

MS. in Bibl. Jurid.

He married, first, when a mere boy, Janet, only daughter of Sir Francis Bothwell, lord of session, sister of Adam, Bishop of Orkney; and by her, who died at Merchistoun, 20th December 1563, had issue,

1. *John.*

2. *Francis*, who died before 21st Janu-

Napier. ary 1606-7. Margaret Moubray, relict of
Penes D. Na- umquhile Francis Naper, seymaster of his
pier. Majesty's cunzie-house, granted a bond to Archibald, Lord Napier, for L.30 Scots, 20th November 1634. It is apprehended this Francis was her husband.

Daughter *Janet*, mentioned in the testament of her mother, 14th December 1560. Sir Archibald Napier married, secondly, Elisabeth, daughter of Robert Moubray of Barnbougle, in the county of Linlithgow, and had issue,

1. Sir *Alexander* Napier of Lauriston, to whom, 8th February 1572-3, when an infant, his father granted a charter of the lands of Tibberlyn, and nine acres of Over Merchistoun. He is designed third son of
Ibid. Sir Archibald, in a deed made in his favour, 3d June 1595. He was served heir of his father, 13th May 1617, in an annualrent of five chalders of victual out of the barony of Corstorphin, and 19th September 1622, in part of the lands of Lauriston. He was appointed one of the senators of the College of Justice, 14th February 1626, and died 1629. He married Mary Crawford, by whom he had at least one daughter, Elspeth, born 13th
Edin. Reg. August 1619.

2. *Archibald*, mentioned in a deed of gift to him from his father, 5th January 1584-5. According to Birrel's Diary, 8th November 1600, Archibald Napier was
Birrel, 52. slain by five of the name of Scot and Thomas Crichton, riding home to his own house to the Wowmit. From some letters in the family repositories there is reason to believe that this Archibald is the person alluded to by Birrel. The murder seems to have been committed by the Scotts of Bowhill, in revenge for the death of one of their relations, who was killed by Archibald Napier in self-defence.

Penes D. Na- 3. *William*, mentioned in a deed made
pier. by his father in his favour, 5th January 1594-5.

1. *Helene.*

2. *Elisabeth*, married, first, to James, Lord Ogilvy of Airly, to whom she had a son, James; secondly, to Alexander Auchmoutie, gentleman of his Majesty's privy-
Ibid. chamber, as appears from a note of writs, dated September 1634.

3. *Marion.*

XII. JOHN NAPIER of Merchistoun, Napier.
the eldest son, is universally known as the renowned inventor of the logarithms, "to "whom the title of a great man is more Hume's His-
"justly due than to any other whom his tory.
"country ever produced." He was born at Merchistoun, or, according to other accounts, at Gartness, in Stirlingshire, in the year 1550; and it is to be remarked, that, at the time of his birth, his father could not have been above 16 years of age. He gave early proofs of great natural abilities, which appear to have been cultivated with the utmost care and attention. After finishing his studies at the university of St Andrews, he is said to have made the tour of France, Italy, and Germany. On his return home, he seems to have led a life of privacy and retirement, devoting his life to the study of mathematics and of the Holy Scriptures. His success in the former is sufficiently evinced by his discovery of the logarithmic canon, the correspondence between arithmetical and geometrical progression, a sublime invention, of universal utility, the result of patient and intense meditation. His researches in divinity were profound, although his calculations as to the time of the fulfilment of the prophecies are now known to have been erroneous.

In 1593, he published, at Edinburgh, Napier Ge-
"A Plain Discovery of the whole Revela- nealogy.
"tion of St John." The dedication to King James VI. is dated at Merchistoun, 29th January 1593. This book was translated into French, by George Thomson, and published at Rochelle, 1602.

In 1614, he published, at Edinburgh, Ibid.
Mirifici Logarithmorum Canonis descriptio, ejusque usus, in utraque trigonometria; ut etiam in omni logistica mathematica amplissimi facillimi et expeditissimi explicatio. Authore ac inventore Joanne Nepero, Barone Merchistonii, &c. Scoto. Edinb. Ex officina Andreæ Hart. This work was dedicated to Charles, Prince of Wales.

In 1617, was given to the public his Ibid.
work, entitled Rabdologiæ, seu numerationis per virgulas libri duo; cum appendice de expeditissimo multiplicationis promptuario, quibus accessit arithmeticæ localis liber unus. Authore et inventore Joanne Nepero, Barone Merchistonii, &c. Scoto.

Napier.

Edinburgi, excudebat Andreas Hart, 1617. This book John Napier dedicated to the Earl of Dunfermline, high-chancellor of Scotland; and he died the same year.

Napier Genealogy.

After his death, his son, Robert Napier, to whom he had left the care of his manuscripts, printed Mirifici ipsius Canonis Constructio, et Logarithmorum ad naturales ipsorum numeros habitudines. 2. Appendix de alia atque præstantiore Logarithmorum specie construenda, in qua scilicet unitatis logarithmus est O. 3. Propositiones quædam eminentissimæ ad triangula sphærica mira facilitate resolvenda, Edinburgi 1619. 4to.

In Lord Napier's possession are two manuscripts, written out from John Napier's loose papers, by his son, Robert; they are entitled "The Baron of Merchistoun, his "Booke of Arithmeticke and Algebra;" and "Algebra Joannis Naperi de Merchistoun "Baronis."

Ibid.

In the Archbishop of Canterbury's library at Lambeth, No 658. p. 38. is the following paper: "Anno Dni 1596, the 7 of "June, Secrett inventions, profitable and "necessary in theis dayes, for defence of "this Iland, and wthstanding of stran-"gers, enemies of God's truth and reli-"gion;" concluding thus: "These inven-"tions, besides devises of sayling under "ye water, wth divers other devises and "stratagems for harming of the enemyes, by "the Grace of God, and worke of exspert "craftsmen, I hope to pforme. Jo. Ne-"par, fear of Marchistoun" Indorsed "Mr Steward secrettes inventions de la "guerre, le mois de Juillet 1596." This is evidently what the Earl of Buchan, in his life of Napier, calls a letter to Anthony Bacon, as it bears the same title, Secrett Inventions; and it is to be observed, that Anthony Bacon, brother of Lord-Chancellor Bacon, died before his father, Sir Nicholas Bacon, lord-keeper, whose death happened in 1579. These inventions are burning mirrors, artillery for throwing shot in a destructive manner, and a round chariot of metal moving within itself, for breaking the ranks of an enemy. Sir Thomas Urquhart mentions that John Napier had the skill to frame an engine, which had the power to clear a field of four miles circumference of all the living creatures exceeding a foot in height that should be found therein, by which he made it appear that he was able, with the help of this machine alone, to kill 30,000 Turks, without the hazard of one Christian. Of this he gave proof, on a large plain in Scotland, to the destruction of a great many cattle and sheep. When he was desired by a friend, in his last illness, to reveal the contrivance, his answer was, that, for the ruin and overthrow of man, there were too many devices already framed, which, if he could make to be fewer, he would, with all his might, endeavour to do; and that therefore, seeing the malice and rancour rooted in the heart of mankind will not suffer them to diminish, the number of them, by any new concert of his, should never be increased. Divinely spoken truly!

Buchan's Life of Napier.

Buchan's Life of Napier.

To Napier, Kepler dedicated his Ephemerides, holding him to be the greatest man of his age, in the particular department to which he applied his abilities; and indeed if we consider that Napier's discovery was not, like those of Kepler or of Newton, connected with any analogies or coincidences, which might have led him to it; but the fruit of unassisted reason and science; we shall be vindicated in placing him in one of the highest niches in the Temple of Fame.

Napier Genealogy.

There is a small room, at the top of the tower of Merchistoun, whither John Napier is supposed to have retired while employed in the construction of the logarithms. He frequently resided at Gartness, in Stirlingshire, where he was looked on as a warlock. It is not improbable, that he amused himself, by encouraging the popular belief of his skill in necromancy, as it would have the effect of preventing the neighbours from interrupting his meditations. Tradition relates that he was attended by a familiar spirit, in the shape of a large black cock. That the great, as well as the vulgar, entertained ideas of his possessing singular sagacity, is evident from a contract entered into with him by the noted Robert Logan of Restalrig, a powerful baron, in July 1594, setting forth, forasmuch as there were old reports and appearances that a sum of money was hid within Logan's house of Fastcastle, John Napier should

Penes D. Napier.

do his utmost diligence to search and seek out, and by all craft and ingine to find out the same, and by the grace of God shall either find out the same, or make it sure that no such thing has been there. For his reward he was to have the exact third of what was found, and to be safely guarded by Logan back to Edinburgh, with the same. And in case he should find nothing after all trial and diligence taken, he refers the satisfaction of his travel and pains to the discretion of Logan.

Penes D. Napier.

John Napier had a charter under the great seal in favour of himself and Elisabeth Stirling, his wife, and their heirs, of the barony of Edinbellie Napier; the barony of Merchistoun; the Pultrie lands, una cum officio nostro Pultriæ, &c. dated 8th October 1572, on his father's resignation. These Pultrie lands, and the office of Pultrie he sold to William Nisbet of Dean for 1700 marks, in 1610. He was infeft in the lands of Blairnavadis, 17th March 1583. He granted an annuity of L.100 Scots to Joanne Napier, his daughter, by Elisabeth Stirling, 13th November 1595; and, of the same date, a charter of Ballacharne and Tomdarroch to Robert Napier, his son by Agnes Chisholme. He procured a precept, under the great seal, for infefting him, and his heirs male by Agnes Chisholme, in the Island of Inchmone, 30th January 1596-7, on the resignation of the same into the hands of the crown, by Ludovick, Duke of Lennox.

Napier Genealogy.

He succeeded his father, 1608, when he had a contest with his brothers and sisters on account of some settlements made to his prejudice by his father, in breach of a promise made, in 1586, in presence of some friends of the family, not to sell, wadset, or dispone from his son John, and his heirs, the lands of Over Merchistoun, or any part thereof. The family disputes were probably accommodated before 9th June 1613, on which day John Napier was served and retoured heir of his father, in the lands of Over Merchistoun.

Penes D. Napier.

John Napier, by charters, dated 13th April 1610, granted annuities of 250 marks to his son, Robert; of 200 marks to his son, Alexander; of 300 marks to his daughter Jean, and of 200 marks to his daughter Elisabeth. He entered into a bond of mutual defence with James Campbell of Lawers, Colin Campbell of Aberuchill, and John Campbell, their brother, 24th December 1611. He obtained a disposition of the lands of Boquhaple, from Archibald Edmonstone of Balintone, in favour of himself and Agnes Chisholme, his wife, in liferent, and to his second son (by the said Agnes) Robert, and the heirs male of his body; which failing, to his third son, Alexander, his fourth son, William, his fifth son, Adam, and the heirs male of their bodies respectively, 14th June 1616.

Napier.

Napier Genealogy.

John Napier, the inventor of the logarithms, died on the 3d of April 1617, in the 67th year of his age, and was buried in the church of St Giles, afterwards the cathedral of Edinburgh, where the family burial place is thus inscribed, Sep. familiæ Naperorū interius hic situm est*.

This great man married, first, charter 23d February 1571, Elisabeth, daughter of Sir James Stirling of Keir, by whom he had a son,

Sir *Archibald*; and a daughter,

Joanna, to whom he granted an annuity, 1595.

He married, secondly, Agnes, daughter of James Chisholme of Cromlix, in Perthshire, by whom he had ten children.

Penes D. Napier.

1. *John*, designed eldest son of John Napier and Agnes Chisholme, in a charter dated 2d November 1598. He was designed of Easter Torrie. Two children of him and Mary Foulis his wife are entered in the Edinburgh register of baptisms, John, 9th April 1615, Anna, 26th May 1616.

2. *Robert*, the editor of his father's posthumous works. He is designed of Drumhony in a contract 1628, and was ancestor of the Napiers of Culcreuch, now of Millikin. Archibald Napier was, 1st June 1655, served heir of Mr Robert Napier, son of John Napier of Merchistoun, his father, in the twenty merk land of Bowhople, in the stewartry of Menteth.

Inq. Ret. xxii. 68. xxiii. 212.

* In 1787, was published an "Account of the "Life, Writings, and Inventions of John Napier of "Merchistoun, by David Stewart, Earl of Buchan, "and Walter Minto, L.L.D." with a portrait of Napier prefixed. This book contains a copious account of the inventions, with some biographical notices of Napier.

Napier. liam Napier was, 19th August 1657, served heir of Robert Napier of Culcreuth, his father, in the five merk land of Culbeg in Stirlingshire.

3. *Alexander*, designed of Torrie in a contract 1628, also of Gillets. He married Anne Dunkeson, had a daughter, Anne, born 2d April 1636, and he died in October 1652 without male issue. Anne, his daughter, was served heir of him in his property in the counties of Fife and Stirling, 6th September 1653.

Edin. Reg.

Inq. Ret. xxiii. 108.

4. *William* Napier of Ardmore, from whom the Napiers of Craiganet are descended.

5. *Adam*, progenitor of the Napiers of Blackstoun, in the county of Renfrew.

1. *Margaret*, married to James Stewart of Rosyth, charter dated 7th December 1613.

Penes D. Napier.

2. *Jean*, married to George Hamilton of Kilbrackmont.

3. *Elisabeth*, married to William Cunningham of Craigends.

4. *Agnes*, married to George Drummond of Balloch, contract 14th June, and 11th July, 1620.

Ibid.

5. *Helen*, married to Matthew Brisbane, only son of William Brisbane, parson of Erskine, contract 18th January 1628-9.

Ibid.

XIII. Sir ARCHIBALD NAPIER of Merchiston, the eldest son, was matriculated at Glasgow university, March 1593, and was infeft in the fee of the barony of Merchistoun by his father, 18th July 1597; in the seisin he is designed eldest lawful son of John Napier, fiar of Merchistoun, and the deceased Elisabeth Stirling his wife.

Ibid.

His attention was early turned to agriculture. The register of privy seal, 22d June 1598, contains "ane lettre makand mentioun that oure soverane Lord, considering the greit proffite and commoditie that may redound universallie to this realme, be the diligent cair and paines to be taine in laboring, mukking, and manuring of the ground, in sik sort and maner that wes nevir usit nor frequentit within any pairt of the boundis thairof be anie persoun or persouns of before, and of the greit incres, alsweill of coirnes as grass, as may accres thair throw, and how neither it is that that invention and pratiq be useit and exercesit be ane skilfull persoun, wha hes tane, hantit, and frequentit thairwith in tymes bipast, that be his expert useing of sick ane lauthfull and rair industrie, greit utilitie may result to this universall comounweill, and understanding that his hienes lovit Archbald Naper appeirand of Merchinstoun, is ane qualifiet and expert persoun, maist apt and meit for exercesing of sik ane commodius industrie and laboure; thairfore, his hieness, with avis of the lordis of secreite counsall, gevand grantand to the said Archbald Naper onlie, and to sik others whom he sall depute and substitute, licence and tollerance to use, hant, and frequent the said commodius use and industrie of mukking, laboring, and manuring of all & whatsumevir landis, alsweill manurit and revin out as unmanurit, within the haill boundis of this realme, alsweill to coirne land as to pasturage and medowis, during the haill space of twentie-ane zeiris nixt efter his entrie therto, whilk sal be and begin at the date of thir presentis, and that efter sik sort and maner as sal be publischit and sett out be the said Archbald authentiklie in prent, with full powers to him and his saidis deputes and substitutes to use and exerce the said industrie within the haill boundis of this realme, during the foirsaid space. Dischargeing be thir presents, all and sundrie his hienes lieges, that they, nor nane of thame, of whatsumevir estate qualitie or conditioun thay be of, presume, nor tak upoun hand to use, hant, or frequent the foirsaid novation of guiding, mukking, or manuring of thair landis, ather manurit or pasturage, during the said haill space, certefeing thame that dois in the contrair, that they sal be constraint to content and pay to the said Archbald the soume of [illegible] for everie aiker tharof that thai sall manure efter that sort and maner, alsweill corne land and pasturage, during the space foirsaid."

Privy Seal Record, Book 70.

Napier.

Archibald Napier published in reference thereto, "The new order of gooding and manuring all sorts of field land with common salt, whereby the same may

Napier.

" bring forth in more abundance, both of " grass and corn of all sorts, and farr " cheaper than by the common way of " dunging used heretofore in Scotland, set " furth by Archibald Napier, the appeir- " ant of Merchiston, conform to the gift " of office given him by the King's Ma- " jestie, under his privie sealle, with ad- " vice of the lordis of councille thereoffe, " and made to him thereanent, of the date, " at Halyroodhouse, 22d June 1598 years. " Imprinted by Robert Waldegrave, printer " to his Majestie."

In Birrel's Diary, 23d October 1598, is noted, ane proclamatione of the Laird of Merkistoun, that he tuik upone hand to make the land mair profitable nor it wes before, be the sawing of salt upone it.

Memoirs of Archibald, first Lord Napier.

Sir Archibald Napier was appointed gentleman of the privy chamber to King James VI., whom he accompanied to England. He was sworn a privy-councillor, 20th July 1615, served heir of his father in the barony of Edinbellie Napier, &c. 3d June 1617, had a charter under the great seal, of the lands of Cassintullie or Balintone, to him and Lady Margaret Graham his wife, 14th December 1619, and was appointed treasurer-depute of Scotland for life, by commission dated at Roystoun, 21st October 1622. He was constituted lord justice-clerk, 23d November 1623, and one of the lords of session on the 25th of the same month. He resigned the appointment of justice-clerk, 9th August 1624. He had a licence dated 14th January 1625, allowing him to export 12,000 stone weight of tallow annually, for seven years, " in remembrance of the mony good " serviceis fra tyme to tyme done to his " Majestie thir mony yearis bigane, be his " right trustie and wel beloved Sir Arch- " bald Naper." King James died in March following. A little before his death he was graciously pleased to recommend Sir Archibald Napier, then in Scotland, to the favour of his son the Prince of Wales.

Penes D. Napier.

After the accession of King Charles I., a regulation having taken place, by which the officers of state were rendered incapable of sitting in the Court of Session as ordinary judges, his Majesty appointed Sir Archibald Napier one of the extraordinary lords of session, 15th February 1626. He had a grant of certain ruinous houses and walls pertaining to the King, adjacent to the court of the palace of Holyroodhouse, 14th April 1626, redeemable on payment of 10,000 marks. He was created a baronet of Scotland, 2d March 1627. To this was attached a grant of lands in Nova Scotia, beginning at the uttermost point towards the south, next the eastern side of the barony of Dunypace, lying on the northern side of Argalis Bay, formerly Great French Bay, and thence eastward three miles along the said bay, and thence northward six miles back, keeping six miles in breadth, called Nepar. It does not appear that the family ever derived any advantage from this grant.

Napier.

Dipl. in Pub. Arch.

By warrant of privy seal of 1st May 1627, a pension of L. 2400 Scots yearly was granted to Sir Archibald Napier and Lady Margaret Graham his wife, the said Sir Archibald having, by the Kings special desire and command, advanced and given to Walter Stewart, gentleman of the privy chamber, the sum of L. 6000 Scots of his own proper money.

Penes D. Napier.

Sir Archibald Napier was, in consideration of his many and faithful services to the crown, and the merits of his ancestors, created a peer of Scotland, by the title of Lord Napier of Merchistoun, by patent, dated at Whitehall, 4th May 1627, the honours being limited to the heirs male of his body. He was appointed one of the commissioners of tithes; and obtained a lease of the crown lands of Orkney for 45,000 marks annually, which he subleased to William Dick for 52,000 marks.

Dipl. in Pub. Arch.

These favours gave the principal statesmen so much offence, that they determined to ruin him in the royal opinion. He left behind him an account of their machinations in a manuscript, entitled, " A true " relation of the unjust persute against the " Lord Napier, written by himself." This manuscript was published by Francis, seventh Lord Napier, under this title, " Memoirs of Archibald, first Lord Napier, " written by himself, published from the " original manuscript in the possession of " the present Lord Napier, Edinburgh, " 1793," to which reference is made.

Lord Napier surrendered the lease of Orkney, his pension, and his office of treasurer-depute, for which he had L. 4000

Penes D. Napier.

Napier. Sterling allowed him, and he received a letter of approbation or quietus, under the great seal, 6th March 1631.

Guthrie's Memoirs. When the King's fleet arrived in Leith roads in May 1639, Lord Napier went on board with a conciliatory proposal from the committee of estates to the Marquis of Hamilton, the commander-in-chief, and matters were soon adjusted. Lord Napier taking a decided part for his sovereign, declared his disapprobation of the conduct of the covenanters, and was one of those who signed the association at Cumbernauld, January 1641. His Lordship was committed prisoner to the castle of Edinburgh, 11th June 1641, from whence he was released, on giving security to keep the peace, 16th November following. The covenanters thought proper to confine his Lordship to his apartments at Holyroodhouse in 1644, with his son, the master of Napier, and his son-in-law, Sir George Stirling of Keir. They were commanded not to stir from thence under a heavy penalty. The master disregarded the injunction, and made his escape. The covenanters immediately imprisoned Lord Napier, Sir George Stirling, Lady Elisabeth Napier, wife of the master, and Lilias Napier his sister, in the castle of Edinburgh, and confined his other sister, Lady Stirling, to the house of Merchistoun. In addition, Lord Napier had to pay L. 10,000 Scots as cautioner for his son for breaking his confinement, as appears from a receipt of Archibald Sydserfe, depute to Sir Adam Hepburn of Humbie, 6th August 1645.

Napier Genealogy.

Ibid. The plague raging in the castle of Edinburgh, Lord Napier and his connections were, as a favour, removed to the gaol at Linlithgow, from whence they were liberated by the master of Napier after the battle of Kilsyth. Lord Napier accompanied the Marquis of Montrose to the south of Scotland, and, after the defeat at Philiphaugh, escaped with him into Atholl. He died at Fincastle in November 1645, being then upwards of 70 years of age, and was buried in the church of Blair. The covenanters, in 1647, threatened to take up his bones to pass a sentence of forfeiture on him, but this was prevented, by his friends paying 5000 marks.

His Lordship married, contract dated 15th April 1619, Lady Mary Graham, second daughter of John, fourth Earl of Montrose, and sister of James, first Marquis of Montrose, and by her had issue,

Napier. Pones D. Napier.

1. *John*, born 22d May 1623, died young. Edin. Reg.

2. *Archibald*, second Lord Napier.

1. Hon. *Margaret* Napier, married to Sir George Stirling of Keir, (charter 2d January 1687).

2. Hon. *Lilias* Napier, born 15th December 1626, died unmarried after 1665. Ibid.

XIV. ARCHIBALD, second Lord NAPIER, the only surviving son, continued during his whole life firmly attached to the royal cause. When he escaped from his father's apartments at Holyroodhouse, as already mentioned, he joined his uncle, the Marquis of Montrose, at Cardross, 21st April 1645. At the battle of Alderne, 4th May 1645, his valour shone with singular lustre. At the battle of Alford, 2d July 1645, he commanded the reserve of Montrose's army. After the victory at Kilsyth, 15th August 1645, Montrose sent him to receive the city of Edinburgh into protection, and to bring away the royalists who had been imprisoned. On this occasion he had the satisfaction of releasing his father and friends from confinement at Linlithgow. Napier Genealogy.

He succeeded his father in November 1645. His tenants in Menteth being plundered and oppressed by the Marquis of Argyll, Lord Napier determined to march to their relief, and, in February 1646, went to Kincardine, a seat of the Marquis of Montrose, which he fortified for a place of retreat, after he had succoured his friends in Menteth. In this house he was besieged by General Middleton, who brought against it artillery from Stirling. Lord Napier held out for fourteen days, when the water and provisions failing, it became necessary to capitulate, 16th March 1646; but his Lordship escaped through a postern gate the preceding evening, and joined the Marquis of Montrose in safety. Middleton ordered the house to be burnt, shot 12 of the garrison, and sent 35 prisoners to Edinburgh.

Lord Napier was served heir of his father in his property in the counties of Dun-

Napier.

Inq. Ret. xix. 18.

barton, Edinburgh, Perth, and Stirling, 18th November 1646, and was infeft in the barony of Edinbellie Napier, 19th May 1647. Previous to this infeftment, he granted a commission to John, Lord Erskine, Elisabeth, Lady Napier, his wife, Robert Napier of Culcreuch, his uncle, and others, empowering them to manage his estates, &c. as he was then going out of the realm. He accordingly did go abroad, and joined his uncle Montrose. This proceeding did not meet with the approbation of his relations; his uncle Culcreuch wrote to his Lordship, 31st May 1647, earnestly entreating him to return home, as the King had recalled Montrose's commissions, to preserve his estate from forfeiture, and his family, friends, and tenants from ruin. "Consider, that upon "this very nick of time depends the utter "ruin or safety of yourself, of your house "and estate, lady, children, and posteri- "ty, your nearest friends, and of all that "by the link and tie of nature should be "dearest to you, for certainly if you con- "tinue longer in that evil course, your "forfeiture will not be long delayed, your "lady and children shall be reduced to "extreme want, whereof they already "feel the beginnings, your whole estate "being already so cantoned, divided, and "taken up, that neither have they their "necessary maintenance of it, neither pay- "eth it any of your father's debt, neither "shall your sister have any thing to main- "tain her, and we, your uncles, branches "of your house, who are engaged caution- "ers for your father's debts, shall be un- "done in our estates," &c.

Penes D. Napier.

This advice does not seem to have produced the desired effect. Lord Napier attended the Marquis of Montrose to Paris, "where it was ever sayde yt Montrose "and his nephew wes like ye Pope and "ye church, who wold be inseparable." After the Marquis went to Germany in 1648, Lord Napier retired to Flanders, for the more conveniently corresponding with, and joining Montrose, to whom he was so strongly attached, that he refused the command of a regiment in Spain.

Letter, Lord Napier to his Lady, from Bruxelles, 14. June 1648.

Lord Napier was particularly excepted in the act of grace and pardon by Cromwell, 12th April 1654, which made it necessary for him to remain abroad. Lady Napier was allowed L.100 out of her husband's forfeited estate, and a further sum of L.50, in July 1658, with L.100 annually till further order, by the Protector's *council* in Scotland. Lord Napier did not live to see the restoration, dying at Delfshaven, in Holland, in the beginning of the year 1660.

Napier Genealogy.

Napier.

His Lordship married, charter dated 20th July 1641, Lady Elisabeth Erskine, eldest daughter of John, eighth Earl of Marr. After the restoration, she obtained a pension of L.500 per annum, in consideration of her husband's loyalty and sufferings. They had issue,

Penes D. Napier.

1. *Archibald*, third Lord Napier.
2. Hon. *John* Napier, killed in a sea-fight against the Dutch, 1672, without issue.
1. Hon. *Jean* Napier.
2. *Margaret*, Baroness of Napier.
3. Hon. *Mary* Napier, who died unmarried in September 1680.

XV. ARCHIBALD, third Lord NAPIER, the eldest son, was much in favour with King Charles II., who, in 1662, addressed a warrant to the Earl of Middleton, of this tenor: "Whereas to our certain know- "ledge, our right trusty and well-beloved "servants, the Lady Napier, and the now "Lord Napier, her son, have been very great "sufferers during the late commotions raised "in Scotland, from the first beginning there- "of, both by plundering their goods, long "exile, and did constantly adhere to us be- "yond seas, where their sufferings were also "very great; all which they have chear- "fully endured for their duty to our dear- "est father and us; we do think it just "now for us to give them some recom- "pence for their fidelity and loss, and "therefore we will and require you to pay "and deliver to the said Lady Napier, and "the now Lord Napier, her son, the sum "of L.3000 sterling, English, of the first "and readiest money which shall come to "your hands, of the fines to be exacted "by our commission given to you for that "effect." This warrant being now among Lord Napier's papers, it may be doubted whether the money was ever received.

Ibid.

His Lordship had a charter of the barony of Edinbellie Napier, the barony of

Napier Genealogy.

Napier. Merchistoun, and houses in the Abbey of Holyroodhouse, the barony of Drumquhassel, the three spittles of Feanoch, the lands of Ballindalloch, the lands of Ibert, the twenty-merk lands of Rinroys, the lands and barony of Lanrick, the lands of Auchlessy, Balintone, Birks, and Little Ireland, the lands and barony of Ruskie, &c. 3d March 1669.

Napier Genealogy. Lord Napier being unmarried, and the only male descendant of the patentee's body, felt an anxiety to preserve his title from becoming extinct at his death. He accordingly resigned his peerage into the King's hands, 20th November 1676; and obtained a new patent of the same, with the former precedency, dated at Whitehall, 17th February 1677, granting the title and dignity of Lord Napier, to himself and the heirs of his body; which failing, to his three sisters, Jean, Margaret, and Mary, in succession, and the heirs male of their bodies; which failing, heredi femellæ natu maximæ ex corpore dictæ Dominæ Jeannæ Napier, absque divisione, et heredibus masculis ex corpore dictæ illius heredis femellæ, quibus deficien. heredi femellæ natu maximæ dictæ Jeannæ absque divisione, et ita successive quamdiu extant et supersunt ullæ filiæ legitime procreat. ex corpore dictæ Jeannæ; which failing, to the same heirs of the bodies of Margaret and Mary; which failing, to the heirs male whatever of Archibald, Lord Napier; which all failing, to his heirs and assigns whatsoever. A charter granting the peerage and barony of Edinbellie Napier, in the same terms, was passed, 7th February 1677, containing a clause, obliging the heir female, succeeding to the title, and her heirs, to take the name and bear the arms of Napier. Lord Napier died a bachelor in August 1683.

XV. The Hon. JEAN NAPIER, his sister, predeceased him; she married Sir Thomas Nicolson of Carnock, in the county of Stirling, baronet, by whom she had a son,

Edin. Reg. XVI. Sir THOMAS NICOLSON of Carnock, baronet, born 14th January 1669, who was served heir of his father in the lands of Carnock, &c. 3d October 1671. In terms of the patent, already recited, he became fourth Lord Napier, on the death of his uncle, in 1683, and was served heir of entail and provision of Archibald, Lord Napier, avunculi ex parte matris, in the barony of Edinbellie Napier, 9th July 1684. He died in France on the 9th of June 1686, in the 18th year of his age, unmarried. His property diverged; his mother's sister, Margaret, Baroness of Napier, relict of John Brisbane, Esq. secretary of the royal navy in England, was served heir of entail of him in the barony of Edinbellie Napier, and other property, in the counties of Edinburgh, Perth, and Stirling, 8th November 1686. Domina Helenora Nicolson, wife of John Shaw, junior, of Greenock, Domina Isabella Nicolson, wife of James Dunbar of Mochrum, and Domina Margareta Nicolson, wife of James Hamilton of Bancrief, daughters of Sir Thomas Nicolson of Carnock, were, on the 6th of September 1686, served heirs portioners of Thomas, Lord Napier, the son of their brother, in the lands of Carnock, &c. in Stirlinghire. The title of Napier devolved on his aunt,

Napier. Inq. Ret. xxxix. 72, 296.

XV. MARGARET, Baroness of NAPIER, second daughter of the second Lord Napier, and widow of John Brisbane, Esq. A precept was issued for infefting her in the barony of Edinbellie Napier, 18th November 1686. She was served heir of entail and provision of Archibald, *Lord Napier*, her brother, 31st December 1687; and had a pension of L.200 sterling from *King Charles II., continued by James VII.* and Queen Anne.

Penes D. Napier. Inq. Ret. xl. 66.

John Brisbane, Esq. her husband, was the only son of Matthew Brisbane, writer in Edinburgh, by his wife, Margaret Row. Matthew Brisbane was the third son of Matthew Brisbane of Rosland, in the county of Renfrew. John Brisbane received his education at the University of Edinburgh, where he took the degree of M. A. Going to England, he was patronised by Sir George Carteret, Bart. vice-chamberlain to King Charles II. whose son, Philip Carteret, he accompanied on his travels. He was on board the fleet under the command of the Duke of York, as deputy-treasurer, in 1665, and was present in the action betwixt his Royal Highness and the Dutch, 3d June that year. He was, in

Napier Genealogy.

Inq. Ret. xxx. 232. xxxvi. 279.

Napier. 1671, judge-advocate to the fleet in the Mediterranean, under the command of Sir Edward Spragg, who employed him in negotiating a peace with the Algerines. Elisabeth, Lady Dowager Napier, assigned to Mr Brisbane, under the designation of judge-advocate to his Majesty's navy in England, L. 3000 sterling, being arrears due to her of her pension from the crown of L. 500 per annum. This assignation is dated 4th September 1676, which was probably the time of Mr Brisbane's marriage.. Mr Brisbane was secretary to the embassy to France under the Hon. Ralph Montagu, and was appointed his Majesty's resident for maritime affairs at that court, 10th September 1676. He was sent into Flanders on a special mission by King Charles II., 25th February 1678, and held the office of secretary to the admiralty. In a warrant, dated 4th August 1683, granting a pension of L.200 to his wife, one of the reasons for the gift is upon the account of the many considerable services performed by her husband in several weighty employments wherein he has been entrusted by us, especially in that of secretary to our commissioners appointed for executing the office of lord high-admiral of our kingdom of England, now enjoyed and executed by him to our great satisfaction. He was nominated envoy-extraordinary to Portugal, June 1684; but died the same year, as he was preparing for that embassy, and was buried in St George's Chapel, in Windsor, where is a monument thus inscribed: "Here lies the "body of John Brisbane, Esq. who served "his Majesty in many honourable employ-"ments, and died envoy-extraordinary to "Portugal in the year 1684, aged 46 "years."

Napier Genealogy. Margaret, Lady Napier, died at London in September 1706, having had issue,

1. *Charles*, who died in his infancy, at Paris, in 1678.

2. *John*, Master of Napier, who was bred to the navy, and died on board the Deptford man of war, on the coast of Guinea, 1704, unmarried.

Daughter, *Elisabeth*, Mistress of Napier.

XVI. ELISABETH, Mistress of NAPIER, died 11th August 1705. She married, contract dated 15th December 1699, William Scott, Esq. eldest son of Sir Francis Scott of Thirlestane, in the county of Selkirk, baronet, and had issue, Napier.

1. *Margaret*, died young.

2. *Francis*, fifth Lord Napier.

3. *Anne Isabella Elisabeth*, born 1st August 1705, died young.

XVII. FRANCIS, fifth Lord NAPIER, the only son, born 16th November 1705, succeeded his grandmother in title, 1706. Napier Genealogy.

His paternal ancestors were settled, as far back as can be traced, in the county of Roxburgh. The old papers of the Scotts are not in Lord Napier's charter-chest; but a manuscript pedigree remains there, which is corroborated by the account of the Scotts of Thirlestane, in Nisbet's Heraldry, I. 98. From this pedigree the descents of the Scotts may be deduced from

Arthur Scott of Howpaisley, in Eskdale, who married a daughter of Maxwell of Terregles. His son, Robert Scott of Howpaisley, commonly called Robert of Eskdale, warden of the west marches, married a daughter of Somerville of Carnwath. Their son, Sir William Scott of Howpaisley, married Janet, daughter of Gladstanes of Cocklaw, and had two sons, Walter, his heir, and Adam of Hassendean. Sir Walter Scott of Howpaisley, the eldest son, married a daughter of Douglas of Cavers, by whom he had two sons; the eldest was Abbot of Melrose, and the youngest, David Scott of Howpaisley, got the lands of Thirlestane, in Selkirkshire, from the abbacy of Melrose. He married a daughter of Scott of Robertoun, by whom he had three sons, Robert, his heir; Walter, commonly called Hardy Wat, killed at the battle of Pavia; and James, who went to Germany. Robert Scott of Howpaisley assumed the designation of Thirlestane. He married a daughter of Johnston of Johnston, by whom he had five sons: John, his heir; Scott of Hundleshope; Scott of Dryhope; Scott of Mountbenger; and Scott of Bowhill. John Scott of Thirlestane, the eldest son, had the following warrant from King James V. We, considering the faith and good service of our right traist friend, John Scott of Thirlestane, who came Ibid.

Napier.

to our host at Soutra Edge, with 70 launciers on horseback, of his friends and followers, and being willing to go with us to England, when all our nobles and others refused, he was ready to stake all at our bidding, for which cause it is our will, and we do strictly charge and command our lion herald, and his deputies, to give and grant to the said John Scott, a border of fleurs-de-lis, about his coat of arms, such as in our royal banner, and also a bundle of lances above his helmet, with these words, Readdy, ay readdy, and that he and all his after comers may enjoy the same as a pledge and token of our good will and kindness for his true worthiness. Given at Falamuir, 27th July 1542, under our hand and privy casket.

Napier Genealogy.

This warrant had been long considered as an original. Pinkerton started doubts of its authenticity, from the date, July 1542, as it was not till October that the King marched to Fala Moor; and, on a narrow inspection of the charter, in the possession of Lord Napier, it appears to be only a copy, with an error in the date by the transcriber. The grant certainly took place, as the augmentation and motto, as described in the charter, are borne by the family at the present day.

Ibid.

John Scott of Thirlestane married a daughter of Scott of Allanhaugh, by whom he had four sons: Robert, his heir; Simon, called Longspear, who was tutor of Thirlestane, and built the tower of Gamelscleugh; Arthur, or Andrew Scott, from whom the families of Newburgh and Ranelburn, are descended; Adam of Gilmanscleugh. Robert Scott of Thirlestane, warden-depute of the west borders, signed the association in support of King James VI., 1567. He married Margaret, daughter of Sir Walter Scot of Buccleuch, and had issue: 1. Sir Robert, whose descent is detailed in Nisbet's Heraldry, II. 287. 2. William, who had two sons; Walter, who died without issue; and Robert, who acquired the lands of Howpaisley, the antient estate of the family; and, dying without issue, left it to his cousin-german, Patrick Scott of Thirlestane. 3. Walter, ancestor of Lord Napier.

Ibid.

Walter Scott, the third son, married Janet, daughter of Sir Patrick Porteous of Hackshaw, by whom he had Patrick, Simon, Marion, and Margaret; all mentioned in a decreet of removal before the lords of council, 19th May 1612, at the instance of Robert Scott, against their mother, Janet Porteous, relict of Walter Scott of Gamelscleugh. Patrick Scott, the eldest son, was designed of Tanlawhill; he had the lands of Howpaisley bequeathed to him by his cousin, Robert Scott; and he acquired the estate of Thirlestane from the elder branch of the family, by purchasing the wadsets with which it was incumbered, and the payment of certain sums of money. During the usurpation, a fine of L.2000 sterling, was imposed on Patrick Scott, by Cromwell's act of grace and pardon, 12th April 1654; but the fine was remitted by act of council, 17th July 1655. Penes D. Napier. Patrick Scott had a dispensation from William, Lord Bellenden, treasurer-depute, 23d March 1663, to him and to all such as should accompany him at table to eat flesh during the forbidden time of Lent, and for all other days forbidden, until Lent 1664. He died 22d June 1666. He married Isabel, daughter of Sir John Murray of Blackbarony, Bart. by whom he had, 1. Francis, his heir. 2. David, died young. 3. Walter, of whom his brother, Francis, was served heir, 9th February 1663, and 29th November 1667. 1. Joan, married, contract dated 4th February 1661, to Sir James Hay of Linplume. 2. Margaret, married, contract dated 15th February 1670, to Sir Alexander Bannerman of Elsick. 3. Mary, married, contract dated 8th and 13th January 1674, to Sir William Primrose of Carrington.

Napier.

Dalkeith Register. Inq. Ret. xxxi. 185.

Sir Francis Scott of Thirlestane, the eldest son, born at Dalkeith, 11th May 1645, was created a baronet, by patent, dated at Whitehall, 22d August 1666, to him and the heirs male of his body, and served heir of his father, 29th November 1667. He was one of the representatives in parliament for the county of Selkirk, from 1693 to 1701, both inclusive; was appointed master of works, with a salary of L.300 per annum, 17th October 1704; and died at Edinburgh, on the 7th of March 1712, in the 67th year of his age. He married, contract dated 27th November 1673, Lady Henrietta Kerr, sixth daughter of William,

Napier. third Earl of Lothian; and by her, who died at Edinburgh, 30th June 1741, aged 90, had issue: 1. William, his heir. 2. Patrick. 3. Francis. 4. Robert. 5. Charles. 6. James. 1. Anne;—all six died young. 2. Henrietta, married, contract dated 16th June 1731, to William, eleventh Lord Ross. 3. Isabel. 4. Lilias; both died young.

Napier. Genealogy. Sir William Scott of Thirlestane, the only surviving son, was admitted a member of the Faculty of Advocates, 25th February 1702; executed a deed of entail of his estate of Thirlestane, 20th May 1719; and died 8th October 1725. Several of his Latin poems are printed in the first volume of Selecta Poemata, Edin. 1727, where he is thus addressed, 1723:

Scotti, deliciæ novem sororum,
Et Caledoniæ decus camœnæ!
Vivas interea precor beatus
Demulcens animos, diu superstes,
Gaudens eximio tuo Napero,
Qui Merchistoniæ caput refulget
Gentis, egregiaque stirpe dignus.

He married, first, Elisabeth, Mistress of Napier, as already mentioned; secondly, contract dated 30th June 1710, Jean, daughter of Sir John Nisbet of Dirleton, relict of Sir William Scot of Harden; but had no issue by the last.

Francis, fifth Lord Napier, succeeded his father, Sir William Scott, in the estate of Thirlestane, and in the baronet's title, 1725. He served as a volunteer with the allied army under the Earl of Stair, to whom he was much attached, in the campaign 1743; was appointed one of the lords of police, 2d October 1761; and the same year, at his own expence, procured a survey, plan, and estimate for a navigable canal, to form a communication betwixt the rivers Forth and Clyde. He died at Lewes, in Sussex, 11th April 1773, surviving every nobleman who was a peer of Scotland at the time of the union, Charles, Earl of Solway, afterwards Duke of Queensberry and Dover, alone excepted.

His Lordship married, first, contract dated 14th March 1729, Lady Henrietta Hope, third daughter of Charles, first Earl of Hopetoun, and by her, who was born 21st February 1706, and died at Edinburgh, 17th February 1745, in her thirty-ninth year, had issue,

1. *William*, sixth Lord Napier. Napier.

2. Hon. *Charles* Napier of Merchistoun-hall, in the county of Stirling, born 19th November 1731, bred to the sea-service; appointed lieutenant in the royal navy, 31st July 1754, and captain, 15th August 1762; commanded the Stirling Castle of 64, at the conclusion of the war, 1763; and died at Esslemont House, 19th December 1807, in his 77th year. He married, first, 19th December 1763, Grizel, daughter of Sir John Warrender of Lochend, in the county of Haddington, baronet. She died, without issue, at Edinburgh, 15th November 1774; secondly, at Edinburgh, 2d July 1777, Christian, daughter of Gabriel Hamilton of Westburn, in the county of Lanark, sister of John Hamilton Dundas of Dudingston, and had issue: 1. Francis, born 15th August 1778, died in the civil service of the East India Company at Madras, 19th July 1798, much regretted. 2. Gabriel Hamilton, born 20th November 1784, died at Edinburgh, 9th March 1795. 3. Charles, born 6th March 1786, a gallant officer of the royal navy, particularly mentioned in the Honourable Sir A. Cochrane's dispatches from the West Indies 1808 and 1809; promoted to the rank of captain as a reward for his spirited conduct, 1809. 4. Thomas Erskine, born 10th May 1790, captain in the chasseurs Britanniques. 1. Agnes, born 19th June 1780, died at Edinburgh, 29th January 1792. 2. Henrietta Hope, born 7th August 1782, married, at Edinburgh, 23d February 1807, to George Gordon of Hallhead, in Aberdeenshire, nephew of George, Earl of Aberdeen. 3. Agnes Dundas, born 11th September 1783. 4. Christian Graham, born 24th November 1787; married, at Merchistoun-hall, 27th February 1809, to Charles Campbell, younger of Combie.

3. Hon. *Francis* Napier, born 15th November 1733, appointed a lieutenant in Lord Drumlanrig's regiment, in the service of the States of Holland, 1747; afterwards went into the marines, of which he had the commission of first lieutenant, 1755, captain 1757, major 1772, and lieutenant-colonel 1779. He married at Kingston in Hampshire, 9th January 1771, Eliza, only child of John Greenway, Esq. keeper of his Majesty's stores in Portsmouth dock-

yard. He died without issue, at Dublin, 1779.

4. Hon. *John* Napier, born 4th April 1736, an officer of the 25th regiment of foot, in which he had the commission of ensign 1753, lieutenant 1757, accompanied that corps to Germany, where he died 31st July 1759.

5. Hon. *Mark* Napier, born 30th December 1738, who had an ensign's commission in the 52d regiment of foot, 1755, and a company in the 32d foot 1764; was major of that regiment, from which he exchanged to the half-pay of the 75th foot; was appointed captain of an invalid company at Alderney, 1790; had the rank of colonel in the army 1782, and of major-general 1793; and died at Edinburgh, 10th June 1809, æta. 71. He married, first, 24th February 1761, Anne, daughter of John Nielson of Craigcaffie, by whom he had Mary, born 30th June 1763, died November 1773. He married, secondly, Margaret, daughter of Alexander Symson of Concraig, in the county of Aberdeen, by whom he had fifteen children. 1. Francis, born 20th August 1770, became a member of the Society of Writers to the Signet 1794, and married, 30th March 1796, to Mary Elisabeth Jane Douglas, eldest daughter of Colonel Archibald Hamilton (third son of Alexander Hamilton of Innerwick, M. P. postmaster-general of Scotland, by Lady Mary Kerr, youngest daughter of William, second Marquis of Lothian), and by her had five children, 1. Mark, born 24th July 1798; 2. Archibald Hamilton, born 28th May 1803, died 19th March 1806; 1. Alicia Colden, born 10th March 1797; 2. Margaret Symson, born 19th May 1800, died 29th March 1806; 3. Jane Hamilton, twin with Margaret, born 19th May 1800, died 15th March 1806. 2. Hope, born 14th November 1771, entered into the royal navy, and died a lieutenant of the Invincible, in the West Indies, in August 1796, unmarried. 3. Alexander, born 29th April 1775, settled as a planter in the island of Tobago, and died at Bristol, 5th January 1797, unmarried. 4. Mark, born 14th February 1779, lieutenant-colonel of the 90th regiment of foot. 5. William Charles, born 4th October 1781, a lieutenant in the royal artillery, died 28th July 1803, unmarried. 6. John George, born 28th April 1790, died an officer in the military service of the East India Company, at Barrackpore, 23d September 1806. 1. Isabella, born 19th December 1772, married 28th April 1797, to Lieutenant-Colonel Charles Maitland of Craigieburn, in Dumfries-shire, and died at Maitlandfield near Haddington, 11th December 1805; their issue, 1. Christian Graham, born 1st February 1798; 2. A son, born 18th and died 25th March 1800; 3. Mary, born 5th April 1801; 4. Thomas, born 15th September 1803. 2. Harriet Erskine, born 23d February 1774, died 7th August following. 3. Katherine Douglas, born 19th September 1776. 4. Charlotte, born 12th November 1777, died 2d February 1781. 5. Margaret Fullerton, born 16th July 1780, died 5th October 1782. 6. Marcia Anne Symson, born 11th January 1783, married 2d January 1804, to Alexander Ogilvy, Esq. on the Bengal medical establishment, a younger son of Sir John Ogilvy of Invercarity, in Forfarshire, Bart. and has issue. 7. Eliza, born 22d July 1784, died 24th February 1787. 8. Maria, born 24th May 1787. 9. Jamima Carnegie, born 25th January 1789.

6. Hon. *Henrietta* Napier, born 12th August 1740, died an infant.

Francis, fifth Lord Napier, married, secondly, in April 1750, Mary, daughter of George Johnston, Esq. a cadet of the Hilton family, formerly a captain in the army, and afterwards an army agent in Dublin. She died at Brompton, 20th September 1795, æta. 62; their issue were,

7. Hon. *George* Napier, born at Edinburgh, 11th March 1751, had an ensign's commission in the 25th regiment of foot, 1767, a lieutenancy in the same regiment, 1771, a company in the 80th regiment of foot, 1778, and he accompanied that regiment to America. This company he sold, and was afterwards appointed an ensign in the foot-guards, from which he was promoted to a company in the 100th regiment of foot, was deputy quarter-master-general, with the rank of major in the army, to the forces under the command of the Earl of Moira, 1793, lieutenant-colonel of the Londonderry regiment of foot, reduced,

1793, and had the rank of colonel in the army, 1st January 1800. He died, comptroller of army accounts in Ireland, at Clifton, 18th October 1804, æta. 54, when it was said of him, "a better or braver soldier never served his country, a more upright or more diligent servant of the public never filled an office of trust." In consideration of his services, his Majesty graciously bestowed a pension of L. 1000 per annum on his widow and daughters. He married, first, 22d January 1775, Elisabeth, daughter of Captain Robert Pollock of the 61st foot, by whom he had, 1. Louisa Mary, born 7th May 1776; 2. Sarah Elisabeth, born 6th May 1777, died 1779; 3. George Cranstoun, born 9th April 1778, died 1779; 4. Francis, born September 1779, died the same year. He married, secondly, at Boxgrove in Sussex, 27th August 1781, Lady Sarah Lennox, seventh daughter of Charles, second Duke of Richmond and Lennox, by whom he had eight children, 1. Charles James, born 10th August 1782, who was major to the 50th regiment of foot, which, with Major Stanhope, he commanded at the battle of Corunna, 16th January 1809; they charged the French most gallantly, occasioning the lamented Sir John Moore to exclaim, "Well done the fiftieth, "well done, my majors." They then drove the enemy out of the village of Elvine with great slaughter; but advancing too far, Major Stanhope was mortally wounded, and Major Napier, receiving four wounds, was stabbed in the body with a bayonet, cut on the head with a sword, and taken prisoner. He was reported in the gazette among the slain, and his relatives went into mourning for him, when, to their great joy, he arrived in England, 30th March 1809. Marshal Soult had treated him with humanity, sending his own surgeon to attend him; and Marshal Ney, when he was nearly recovered, permitted him to depart on his parole for three months, stipulating, that if before the end of that period, Bonaparte should demand his restitution, he should return to France; but if no such intimation was given, he was to consider himself at liberty. His martial spirit led him to join Lord Wellington's army in Portugal, as a volunteer; he was severely wounded at the battle of Busaco, 27th September 1810; and he is now lieutenant-colonel of the 102d regiment of foot. 2. Emily Louisa Augusta, born 11th July 1783. 3. George Thomas, born 30th June 1784, major to the 52d regiment of foot. He was aide-de-camp to Sir John Moore, and was with that gallant general when he fell at Corunna, 16th January 1809. He was wounded at the battle of Busaco, 27th September 1810; and again, in pursuit of Massena, 14th March 1811. 4. William Francis Patrick, born 17th December 1785, a major in the army, by brevet, and captain in the 43d regiment of foot. He was wounded in the action at the Coa, under Brigadier-General Crawford; and again, in pursuit of Massena, 14th March 1811. 5. Richard, born 7th August 1787, fellow of All-Souls College, Oxford. 6. Henry Edward, born 5th March 1789, in the royal navy. 7. Caroline Henrietta, born 21st February 1790, died, unmarried, at London, 9th September 1810, æta. 21. 8. Cecilia Mary Margaret, born 2d May 1791, died at Lady Louisa Conolly's at Brighthelmstone, 20th August 1808, æta. 18, buried in the Richmond vault at Chichester.

8. Hon. *James* Napier, born 8th February 1752, died 1760.

9. Hon. *Elisabeth* Napier, born 2d April 1753, died an infant.

10. Hon. *Hester* Napier, born 11th October 1754, married, 17th February 1774, to Samuel Johnstone, Esq. afterwards in the civil service of the East India Company, a younger son of Alexander Johnstone of Carnsalloch, in the county of Dumfries, and has issue, 1. Sir Alexander Johnstone, knight, born 25th April 1775, chief justice of Ceylon, married 14th June 1799, to Louisa, daughter of Lord William Campbell, third son of John, fourth Duke of Argyll, and has issue. 2. Francis James Thomas, born 26th August 1776, lieutenant in the Bengal cavalry. 3. Maria Roffina Charlotte, born 17th July 1778, married to Thomas Daniel, Esq. in the civil service of the East India Company at Madras, and has issue. 4. Cecilia, born July 1781, died in August following.

11. Hon. *Patrick* Napier, born 14th June 1757, appointed a lieutenant in the

Napier. royal navy, 5th September 1777, captain, 8th August 1782, and died unmarried at Dudingston Castle, in the county of Linlithgow, 15th June 1801.

12. Hon. *Mary* Napier, born 3d September 1760, died at Merchistoun, 12th April 1765.

13. Hon. *James John* Napier, born 11th October 1761, a lieutenant of marines, killed on board the Fox frigate, in an engagement with an American frigate, by which she was captured, 1776.

14. Hon. *Stewart* Napier, born 27th May 1763, also a lieutenant of marines, died 10th October 1779, buried at Mary-le-bone.

XVIII. WILLIAM, sixth Lord NAPIER, the eldest son, was born 1st May 1730. Choosing the military line, he went into that well known regiment, the second, or royal North-British, dragoons, commonly called the Scots Greys. His cornetcy was dated in February 1747, lieutenancy, 21st June 1749, captain-lieutenancy, 5th December 1755. He was promoted to a troop, 9th March 1757, and to the majority of the same regiment, 14th November 1770, which commission he sold in 1773, on account of the bad state of his health. He succeeded his father same year. He had been appointed deputy adjutant-general to the forces in Scotland, with the rank of lieutenant-colonel in the army, 17th January 1763, and held that commission till his death, which happened at Edinburgh, on the 2d of January 1775, in the 45th year of his age, and he was buried at St Cuthbert's.

His Lordship married, 16th December 1754, Mainie Anne, fourth daughter of Charles, eighth Lord Cathcart. She was born 26th November 1727, and dying at Edinburgh, 11th July 1774, in her 47th year, was buried at St Cuthbert's. Their issue were,

1. Hon. *Mainie Schaw* Napier, born 5th August 1756, married 14th April 1779, to the Rev. Andrew Hunter of Barjarg, in the county of Dumfries, D. D., then one of the ministers of Dumfries, afterwards professor of divinity in the university of Edinburgh, and one of the ministers of the Tron Church in that city; she died at Edinburgh, 9th October 1806, in the 51st year of her age; he died at the same place, 21st April 1809. Their issue were, 1. Andrew, born 6th and died 27th March 1781. 2. Mainie Anne Charlotte, born 28th May 1783, died 21st February 1790. 3. Grizel, born 15th June 1784, married at Edinburgh, 27th June 1808, to George Ross, Esq. advocate, a younger son of the late Sir John Ross Lockhart of Balnagowan, Bart. 4. William Francis Hunter of Barjarg, born 30th July 1785, admitted a member of the Faculty of Advocates 1808. 5. John, born 14th November 1788. 6. Henrietta Hope, born 22d November 1793.

2. *Francis*, seventh Lord Napier.

3. Hon. *Henrietta* Napier, born at Ipswich, 4th April 1759.

4. Hon. *Mary Elisabeth* Napier, born at Worcester, 20th January 1766, died at Edinburgh, 4th November 1778.

5. Hon. *Jane Wilhelmina* Napier, born at Framptonhall in Lincolnshire, 19th March 1769, died at Gayfield, 3d August 1779.

XIX. FRANCIS, seventh Lord NAPIER, the only son, born at Ipswich, 23d February 1758, had an ensign's commission in the 31st regiment of foot, 3d November 1774, and a lieutenancy, 21st March 1776, in the same regiment, which he accompanied to Canada, and went on the unfortunate expedition under Burgoyne. His Lordship was one of the number who piled their arms on the signing the convention betwixt Burgoyne and the American general, Gates, at Saratoga, 1777, every article of which was shamefully violated by a decree of Congress. Lord Napier was detained a prisoner at Cambridge for six months, but obtained permission to return to Europe, on giving his parole not to serve in America till he should be regularly exchanged. He left New England in May 1778, and went to New York, from thence to Britain, and was exchanged as a prisoner of war in October 1780. He purchased a company in the 35th regiment of foot, 17th November 1779, was reduced to half pay at the peace 1783, exchanged to full pay as captain in the 4th regiment of foot, 31st May 1784, and on the 29th of December following, purchased the majority of

Napier. that corps, which he sold in 1789, in time of profound peace.

His Lordship had the degree of L.L. D. conferred on him by the university of Edinburgh, 11th November 1789; and, on the 16th of that month, laid the foundation of the new college of Edinburgh, as grand master-mason of Scotland, the ceremony being conducted with great pomp. At the general election, 24th July 1790, his Lordship's vote was protested against, on account of an error committed in writing sexagesimo, instead of septuagesimo, in the second patent of the barony of Napier, when referring to the date of the charter, 1677. But, supposing this clerical mistake had been sufficient to invalidate the second patent, yet the charter, 1677, itself conveyed the peerage, and was perfectly competent so to do, having passed the great seal, in consequence of a warrant under the sign manual of Charles II., countersigned by the Duke of Lauderdale, secretary of state. The proceedings at the election having been brought under review of the House of Lords, Lord Napier had an opportunity of completely establishing his right to the title; and, on the 25th February 1793, the Lord Chancellor moved the committee of privileges to resolve, that Lord Napier was entitled to vote at the election 1790. This resolution was unanimously agreed to, and was confirmed by the House of Lords, 6th June 1793.

When the southern regiment of fencibles was raised by the Earl of Hopetoun, Lord Napier accepted of the lieutenant-colonelcy of that corps, and continued therein till it was disbanded, 1799. His Lordship was chosen one of the sixteen representatives of the Scotish peerage, at the general election, 1796; rechosen, 1802; and again, 1807. He was appointed lord-lieutenant and sheriff-principal of the county of Selkirk, 17th November 1797; and high-commissioner to the General Assembly of the church of Scotland, 1802. This commission has been annually renewed ever since. He was constituted a member of the Board of Trustees for the Encouragement of Fisheries and Manufactures in Scotland, by commission under the great seal, 5th February 1806.

His Lordship married, at St George's, Hanover Square, London, 13th April 1784, Napier. Maria Margaret, eldest daughter of Lieutenant-General Sir John Clavering, K. B., who died at Calcutta, 30th August 1777, by Lady Diana West, daughter of John, first Earl Delawarr. Their issue are,

1. Hon. *Mary Margaret* Napier, born at Cork, 9th September 1785.
2. Hon. *William John* Napier.
3. Hon. *Charlotte* Napier, born at Edinburgh, 18th January 1788; died there 6th June 1789.
4. Hon. *Anne* Napier, born at Wilton Lodge, 11th December 1789.
5. Hon. *Sophia* Napier, born at Wilton Lodge, 21st October 1791.
6. Hon. *Francis* Napier, born at Wilton Lodge, 30th July 1793; in the royal navy.
7. Hon. *Charles* Napier, born at Wilton Lodge, 24th October 1794.
8. Hon. *Henry Alfred* Napier, born at Wilton Lodge, 20th June 1797.
9. Hon. *Caroline* Napier, born at Wilton Lodge, 18th December 1798.

XX. The Hon. William John Napier, the eldest son, born at Kinsale, in Ireland, 13th October 1786, entered into the royal navy; served on board the Defence at the glorious battle of Trafalgar, 21st October 1805, when she captured the St Ildephonso, and carried the prize into Gibraltar. He afterwards served on board the Foudroyant, and the Imperieuse, Lord Cochrane, who, in his dispatches of 7th January 1807, published in the London Gazette, noticed the Hon. Mr Napier as having distinguished himself among those detached in boats, who landed on the French coast, and attacked and demolished Fort Roquette the preceding day. He commanded a boat of the Imperieuse, which, with another, took at mid-day a privateer mounting eight guns, and having on board 54 men, 14th November 1807. In his boat twelve, including himself, were wounded, two of whom died. He assisted in cutting out of the bay of Almeria, 20th February 1808, within half gun-shot of upwards of fifty cannon, a French letter of marque of ten guns and 50 men, besides two Spanish brigs of four guns, and a large settee. He was sent to

Napier.

conduct an unarmed vessel, detained by the Imperieuse, to Gibraltar, but was taken on the passage by a privateer from Mahon, 3d April 1808, and carried into Ivica, where he remained a prisoner for three months. He was released when the Spaniards began to throw off the French yoke, and afterwards assisted in the defence of Fort Trinity, and at the siege of Roses. He was on board the Imperieuse, 12th April 1809, when the Calcutta was taken; was promoted to the rank of lieutenant in the royal navy, 6th October 1809, and was wounded in the attack at Palamos, under the command of Captain Fane of the Cambrian, 14th December 1810.

TITLES.—Francis Napier, Lord Napier of Merchistoun, and baronet.

CREATIONS.—Baron Napier of Merchistoun, by patent, dated at Whitehall, 4th May 1627, to the first Lord and the heirs male of his body. New patent, with the former precedency, Whitehall, 17th February 1677, to the third Lord and the heirs of his body; which failing, to his three sisters, Jean, Margaret, and Mary, in succession, and the heirs male of their bodies; which failing, hæredi femellæ natu maximæ ex corpore dictæ Dominæ Jeannæ Napier, absque divisione, et hæredibus masculis ex corpore dictæ illius hæredis femellæ, quibus deficien. hæredi femellæ natu maximæ dictæ Jeannæ, absque divisione. et ita successive quamdiu extant et supersunt ullæ filiæ legitimæ procreatæ ex corpore dictæ Jeannæ; which failing, to the same heirs of the bodies of Margaret and Mary; which failing, to the heirs male whatever of the said Archibald, Lord Napier; which all failing, to his heirs and assigns whatsoever. Baronet, 22d August 1666.

ARMS.—Quarterly: 1st and 4th, Argent, a saltire engrailed, cantoned with four roses, gules; for Napier. 2d and 3d, Or, on a bend, azure, a mullet pierced betwixt two crescents of the first, within a double tressure, flowered and counterflowered, of the second; for Scott of Thirlestane.

CREST.—A right arm, couped from the elbow, grasping a crescent; proper.

SUPPORTERS.—Dexter, an eagle, proper; sinister, a chevalier, in a coat of mail, holding a spear with a pennon; all proper. Below the shield, by way of compartment, on the embattlement of a tower, argent, masoned, sable, six lances disposed saltireways.

MOTTO.—*Sans tache*;—and *Readdy, aye Readdy.*

His ready lances Thirlestane brave
Arrayed beneath a banner bright.
The tressured fleurs-de-lis he claims
To wreathe his shield, since royal James,
Encamp'd by Fala's mossy wave,
The proud distinction grateful gave,
For faith 'midst feudal jars;
What time, save Thirlestane alone,
Of Scotland's stubborn barons none
Would march to southern wars;
And hence, in fair remembrance worn,
Yon sheaf of spears his crest has borne;
Hence his high motto shines revealed,—
"Ready, aye Ready," for the field.
Lay of the Last Minstrel, iv. 8.

LESLIE, LORD NEWARK.

Newark.

I. DAVID LESLIE, fifth son of Patrick, commendator of Lindores, (see title Lord Lindores,) went into the service of Gustavus Adolphus, King of Sweden; and having eminently distinguished himself in Germany, rose to the rank of colonel of horse. Returning home when the civil war broke out in Scotland, he was ap-

Newark.

Newark. pointed major-general to the army under the command of the Earl of Leven, which marched into England, 1644. He greatly Laing, I. 413. contributed to the defeat of the royalists, at Marston Moor, in July that year; the cavalry under his command breaking and dispersing the right wing of the enemy. He defeated Musgrave and Fletcher, in Cumberland; was recalled into Scotland to oppose Montrose, 1645, when the parliament passed an act constituting him lieutenant-general of the horse. He defeated Montrose at Philiphaugh, 13th September that year; for which acceptable service the parliament voted him 50,000 marks out of the fine imposed on the Marquis of Douglas, 18th March 1646. He completely suppressed the civil war in Scotland in 1647; was declared lieutenant-general of the forces; and had a pension of L. 1000 a month settled on him, over and above his pay as colonel of the Perthshire horse, 29th February 1647. He refused to serve in the engagement for the rescue of Charles I., 1648, of which he was appointed general of horse, but threw up the commission. He purchased, in 1649, the lands of Abercrombie and St Monance, in Fife, from Lord Abercrombie; and the next year was sent against Montrose, whom he made prisoner. When Cromwell invaded Scotland, in 1650, Leslie had the chief conduct of the Scotish army. The cool and vigilant sagacity of Leslie baffled the impetuosity of Cromwell, and he hemmed him up at Dunbar in such a manner, that the ruin of the English seemed inevitable. But the operations of Leslie were controlled by a committee of church and state, by whom he was compelled to descend from his commanding situation, and he was attacked and defeated by Cromwell, 3d September 1650. Leslie, with the dispirited remains of a numerous army, retired to Stirling, to secure the passes to the north; but justice was done to the abilities of that unfortunate general, who was acquitted of misconduct and restored to the command. He marched with Charles II. to Worcester, where his sagacity presaged the defeat of the royal forces. He escaped from the battle of Worcester, 3d September 1651; but was, on his retreat, intercepted in Yorkshire, and committed to the Tower of London, where he remained till 1660. He was Newark. fined in L. 4000 by Cromwell's act of grace and indemnity, 1654. After the restora- Mag. Sig. tion, he was, in consideration of his emi- L. Ix. No. 58. nent services and sufferings in the royal cause, created Lord Newark, by patent, dated 31st August 1661, to him and the heirs male of his body, and gratified with a pension of L. 500 per annum. His Lordship's enemies endeavoured to impress the King with an opinion to his prejudice; but his Majesty, 10th June 1667, wrote him a letter, of this tenor: "Although we have, "upon all occasions, both abroad and since "our happy return, declared ourself fully "satisfied with your conduct and loyalty "in our service, and although, in consi- "deration of the same, we have given you "the title and honour of a lord, yet seeing "we are told that malice and slander do "not give over to persecute you, we have "thought fit to give you this further testi- "mony, and to declare, under our hand, "that while you was our lieutenant-gene- "ral of our army, you did, both in Eng- "land and Scotland, behave yourself with "as much conduct, resolution, and hones- "ty as was possible, or could be expected "from a person in that trust; and, as we "told you, so we do again repeat it, that "if we had occasion to levy an army fit "for ourself to command, we would not "fail to give you an employment in it fit for "your quality." His Lordship died 1682.

He married Jean, daughter of Sir John Yorke, knight, by whom he had a son,

David, second Lord Newark;—and six daughters, of whom *Helen*, *Anna*, and *Joanna*, died unmarried*; the others were,

1. Hon. *Elisabeth* Leslie, married to Sir Archibald Kennedy of Cullean, baronet, and had issue; one of her daughters, Susanna, Countess of Eglintoun, lived to the 91st year of her age.

2. Hon. *Mary* Leslie, married, first, to Sir Francis Kinloch of Gilmerton, in the

* On the 4th of March 1693, Elisabeth Leslie, wife of Sir Archibald Kennedy of Culzean; Mary Leslie, wife of Sir Francis Kinloch of Gilmertoun; and Margaret Leslie, were served heirs portioners and of provision of Helen Leslie, Anna Leslie, and Joanna Leslie, daughters of David, Lord Newark, their sisters. Inq. Ret. xlviii. 340.

Newark. county of Haddington, baronet, by whom she had several children; two of her sons are entered in the Edinburgh register of baptisms: Francis, 23d June 1676; and David, 29th November 1677. One of her daughters was the wife of Andrew Fletcher of Salton, a lord of session, by the stile of Lord Milton, and lord justice-clerk. Lady Kinloch married, secondly, 18th January 1702, the Hon. Sir Alexander Ogilvy of Forglen, baronet, a lord of session, without issue; and she died at Edinburgh, 24th March 1748, in her 93d year.

3. Hon. *Margaret* Leslie, married to the Hon. Colonel James Campbell, fourth son of Archibald, ninth Earl of Argyll. She had the estates of Burnbank and Boquhan, and died at Boquhan, 19th April 1755. Her daughter, Mary, bequeathed Boquhan to her cousin, Henry Fletcher, second son of Lord Milton. The three sisters, who lived long, passing their 80th, 90th, and approaching to their 100th year, were thin and short of stature.

II. DAVID, second Lord NEWARK, had a charter to David, Master of Newark, and his son, of the barony of Abercromby, 16th August 1672; succeeded his father 1682, and died 15th May 1694, without surviving male issue, whereby, says Crawford, the title, according to the conception of the original patent of honour, if there was no other granted by the sovereign since, did extinguish with himself, it being to the heirs male of General Leslie's own body. The lords of session, in their report to the House of Peers, 1740, say, that the patent creating David Leslie Lord Newark, appears in the records of the great seal, 1661, limiting the descent to the heirs male of his body. According to the first edition, David, first Lord Newark, 16th August 1672, made a resignation of his estate and honours into the King's hands, and got a new grant of the honours, with the precedency of the former patent, to himself, for life; and, after his decease, to David, his eldest son, and the heirs male lawfully to be procreated of his body; which failing, to Jean Lesly, his eldest daughter, and the heirs male or female lawfully to be procreated of her body; which failing, to the other heirs of tailzie mentioned in the grant of the lands, they carrying the name and arms of Leslie, with the title, rank, and dignity of a lord of parliament, upon which there passed a charter under the great seal, confirming the lands in terms thereof, containing a novodamus.

Mag. Sig. L. lxvii. No. 115.

Peerage, 368.

Robertson's Proceedings, 215.

David, second Lord Newark, married, 26th May 1670, Elisabeth, seventh daughter of Sir Thomas Stewart of Grandtully, and by her had a son, who died young, and five daughters,

Lamont's Annals, MS.

1. *Jean*, Baroness of Newark.
2. Hon. *Mary* Leslie, died unmarried.
3. Hon. *Elisabeth* Leslie, born 5th October 1675, died unmarried, at Edinburgh, 8th April 1760, æta. 85.
4. Hon. *Christian* Leslie, married to Thomas Graham of Balgowan, and died at Edinburgh, 21st August 1752, æta. 75.
5. Hon. *Grizel* Leslie, married to Thomas Drummond of Logiealmond.

III. JEAN, Baroness of NEWARK, the eldest daughter, married, contract dated 8th March 1694, Sir Alexander Anstruther, knight, fifth son of Sir Philip Anstruther of Anstruther. He died 1743; and she died 21st February 1740. They had issue,

1. *William*, third Lord Newark.
2. Hon. *David* Leslie, died unmarried.
3. *Alexander*, fourth Lord Newark.
1. Hon. *Christian* Leslie, died unmarried.
2. Hon. *Helen* Leslie, married to John Chalmers of Raderny, minister of Kilconquhar, and had a son, William Bethune, writer in Edinburgh; she died after 1785.
3. Hon. *Jean* Leslie, died unmarried, at Grangemuir, 8th January 1790.
4. Hon. *Catherine* Leslie, died unmarried, 1796.
5. Hon. *Margaret* Leslie, died unmarried.
6. Hon. *Johanna* Leslie, died unmarried, after 1785.

IV. WILLIAM, third Lord NEWARK, succeeded his mother, 1740; and frequently voted at elections of representative peers of Scotland, without challenge, till 2d January 1771, when the Duke of Buccleuch objected, that any list, from the person assuming the name of Lord Newark, ought

Newark. not to be received, because the original patent of the peerage of Newark, dated 31st August 1661, limits that peerage to the heirs male of the body of Lieutenant-General David Leslie; and the person now assuming the title of Newark is not such heir male. He was a captain of Jordan's marines, reduced 1749; got a company of invalids, 1755; and died, unmarried, at Edinburgh, 5th February 1778. His brother,

IV. ALEXANDER, fourth Lord NEWARK, was a merchant at Boulogne, in France; succeeded his brother, 1773; and voted, without challenge, at the general election, 1774. But, at the general election, 1790, the Duke of Buccleuch protested against his vote, in the same terms as against his brother's, and the House of Lords, in 1793, found, that the votes given by him were not good; therefore the peerage must now be considered as extinct. He died at Stonehouse, near Plymouth, 10th March 1791, aged 80, having married Miss Elisabeth Prince, daughter of an East India captain, by whom he had issue,

1. Hon. *John* Leslie, who assumed the title of Lord Newark, on his father's death, 1791, but lost it by the decision of the House of Lords, 1793. He was major of the third regiment of foot; was promoted to the lieutenant-colonelcy of that regiment, 26th November 1793; and the next month appointed aide-de-camp to the King.

2. Hon. *Philip* Leslie, born 1747, who was a merchant at Boulogne, in France. He married, 27th October 1777, Lady Frances Manners, daughter of John, Marquis of Granby, sister of Charles, fourth Duke of Rutland, and by her, who was born 25th March 1753, and died at Edinburgh, 15th October 1792, had a son, Alexander Manners Leslie, an officer in the army, who died unmarried at Brixton Causeway, 17th June 1803, æta. 25. Newark.

3. Hon. *David* Anstruther of Huntsmore Park in Buckinghamshire. He married Miss Donaldson of Allachie, in Aberdeenshire, and has one son and three daughters. One of his daughters married, first, Captain Henry Milford, R. N.; secondly, 13th April 1809, Iver Spurgeon Farrer of Cole Brayfield, in Buckinghamshire.

4. Hon. *Francis* Leslie, an officer in the East India Company's service, who died at Madras in December 1777.

5. Hon. *William* Leslie, born June 1759, married at Bath, 2d November 1791, Miss Senior, niece of the late Sir Robert Smith, a general in the Danish service, and governor of Rendsburgh.

1. Hon. *Elisabeth* Leslie, married to Mr Magnus, merchant in London, and died at Boulogne, 20th June 1787, leaving issue.

2. Hon. *Jane* Leslie, married to John Sanford of Minehead, in Somersetshire, and died 8th January 1790, leaving two sons, and two daughters.

ARMS.—Quarterly: 1st and 4th argent, on a bend, azure, three buckles, Or, for Leslie. 2d, Or, a lion rampant, gules, debruised with a ribbon, sable, for Abernethy. 3d, Argent, three piles issuing from the chief, sable, for Anstruther. Over all, on an escutcheon, gules, a three-towered castle, argent, masoned, sable, for Lindores.

CREST.—On a wreath, a demi-angel, winged, Or, holding in his right hand a griffin's head, proper.

SUPPORTERS. — Two griffins, argent, beaked, winged, and armed, Or.

MOTTO.—*Periissem ni periissem.*

LIVINGSTON, EARL OF NEWBURGH.

Newburgh.

I. Sir John Livingston of Kinnaird, descended from Robert, second son of Sir John Livingston of Calendar, ancestor of the Earls of Linlithgow, had charters of the barony of Kinnaird in Fife, 26th March and 6th December 1618, and was created a baronet 1627. He died in March 1628, leaving a son and successor,

Mag. Sig. L. xlix. No. 92. L. xlviii. No. 367.

II. Sir James Livingston of Kinnaird, baronet, who being under age at his father's death, his uncle, James Livingston, was served tutor at law to him, 23d December 1628, and he was served heir of Sir John Livingston of Kinnaird, knight baronet, his father, 19th March 1729. He was one of the gentlemen of the bed-chamber to King Charles I., who created him Viscount of Newburgh, 13th September 1647, to him and the heirs male of his body. Cromwell having discovered that he corresponded with Charles II., he fled out of England, and repaired to the King at the Hague, 1650. He was excepted from pardon by Cromwell's act of grace, 1654. He continued with his Majesty during his exile, and, on the restoration, was constituted captain of the guards, and created Earl of Newburgh, Viscount of Kinnaird, and Baron Livingston of Flacraig, to him and his heirs whatsoever, by patent dated 31st December 1660. He died on the 26th of December 1670, leaving behind him the character of one of the finest gentlemen of the age, of untainted principles of loyalty and honour. By his wife, Lady Catherine Howard, daughter of Theophilus, second Earl of Suffolk, relict of George, Lord Aubigny, mother of Charles, Duke of Richmond and Lennox, he had one son,

Inq. Ret. a. 174, 198, 201.

Mag. Sig. L. lx No. 10.

III. Charles, second Earl of Newburgh, who was served heir of his father, 25th January 1684, and died in 1694. He married Frances, daughter of Francis, Lord Brudenel, son of George, Earl of Cardigan, and by her, who took to her second husband Richard, third Lord Bellew, had an only daughter,

Inq. Ret. xxxvii. 266. Noble, I. 365.

Newburgh.

IV. Charlotte Maria, Countess of Newburgh, who, after possessing the title sixty-one years, died 4th August 1755. She married, first, Thomas, born 1687, eldest son and heir apparent of Hugh, Lord Clifford of Chudleigh, and by him had two daughters,

1. Lady *Frances*, married, 20th September 1738, to William Middleton of Yorkshire.

2. Lady *Anne*.

The Countess married, secondly, in the church of the Virgin Mary at Brussels, 24th June 1724, the Hon. Charles Radcliffe, born 1694, third son of Francis, Lord Radcliffe, by Mary Tudor, a daughter of Charles II.: They had issue,

1. *James Bartholomew*, third Earl of Newburgh.

2. Hon. *James Clement* Radcliffe, a general officer in the French service, died 18th May 1788.

3. Hon. *Charles* Radcliffe, died before 1749.

1. Lady *Charlotte*, died 13th March 1800.

2. Lady *Barbara*, died at Cambray, 7th July 1769.

3. Lady *Thomasina*, died before 1749.

4. Lady *Mary*, married to Francis Eyre, of Walworth Castle, in Northamptonshire, and died there 27th August 1798, her husband, 7th October 1804, æta. 72. They had three sons, Francis Eyre of Hassall in Derbyshire, James, Charles, and a daughter married to Arthur Onslow, serjeant and counsellor at law, and died without issue, 14th May 1800.

The Hon. Charles Radcliffe was grandson of Francis, Earl of Derwentwater, and brother of James, Earl of Derwentwater. The two brothers engaged in the rebellion 1715. The Earl was executed, 24th February 1716, and his great and noble estates forfeited. Charles was taken at Preston,

Newburgh. 14th November 1715; found guilty of high treason, 18th May 1716, and condemned; but escaped out of Newgate, 11th December following, and retired to France. On the death of his nephew, John, Lord Radcliffe, in December 1731, he assumed the stile of Derwentwater. On his passage to Scotland to join the chevalier, he and his son were taken on board the Esperance privateer by the Sheerness man of war, and brought into Deal, 25th November 1745. He was committed to the Tower of London, and beheaded, in terms of his former sentence, on Towerhill, 8th December 1746. On his coffin was this inscription, Carolus Radcliffe, Comes de Derwentwater, decollatus die 8vo Decembris 1746, ætatis 53; requiescat in pace. His son put in a claim to the reversion of the Derwentwater estate, as no fine or recovery was passed to bar the entail. But it appears the claim was withdrawn, as an act of parliament was passed in 1749, for vesting the several estates of James, Earl of Derwentwater, and Charles Radcliffe, deceased, comprised in several settlements therein mentioned, in trustees, for an absolute estate of inheritance, for the benefit of the royal hospital of Greenwich, and for raising certain sums of money out of part of the said estates, for the relief of the children of the said Charles Radcliffe. The act sets forth, that James Bartholomew Radcliffe, commonly called Lord Kinnaird, first born son of the said Charles Radcliffe, hath made a most dutiful representation unto, and most humbly besought his Majesty to extend his grace and favour to him, and that* Charlotte, Countess of Newburgh, on the behalf of James Clement Radcliffe, her second son, and the Ladies Charlotte, Barbara, and Mary Radcliffe, hath most humbly implored his Majesty to extend his royal grace and favour to them, humbly representing, that if no relief shall be granted to them, they will be destitute of all manner of provision after the death of the said Countess of Newburgh; and that the said James Bartholomew Radcliffe is consenting, that all the right, title, and interest which he or his issue male hath, or can have to the manors, &c. comprised in the settlement of 24th June 1712, shall be extinguished by authority of parliament,

Stat. 22. Geo. II. Pr. 4.

and that the absolute fee simple and inheritance shall be vested in the royal hospital of Greenwich for ever, and that his Majesty was pleased to signify his consent, that the parliament should make whatever disposition and settlement they should think fit, of the interest which his Majesty hath in the said estates, so as the same be for the use and benefit of the royal hospital of Greenwich, with the allowance that shall be thought proper to be made thereout for the relief of the children of the said Charles Radcliffe, &c. The estates were placed in trustees to raise L. 30,000, of which L. 6000 to be divided among the three ladies, and the remaining L. 24,000 to be invested on security, the interest to be paid to the said James Bartholomew Radcliffe during life, and after his decease, the principal to be paid to his eldest son on attaining the age of 21 years, &c.

Newburgh.

V. James Bartholomew, third Earl of Newburgh, born at Vincennes in France, 23d August 1725, was taken with his father in 1745, and succeeded his mother in the title, 1755. In 1784 was presented to the King the humble petition of the Right Honourable James Bartholomew Radcliffe, Earl of Newburgh, Viscount Kinnaird, Baron Livingston of Flacraig, of this tenor:—That his late Majesty, King Charles II., was pleased, by letters patent under the great seal, dated 31st December 1660, to grant unto your petitioner's grandfather James, (then Viscount Newburgh) and his heirs, the honour, title, and dignity of Earl of Newburgh, Viscount Kinnaird, and Baron Livingston of Flacraig, in the kingdom of Scotland: That the said James, Earl of Newburgh, was succeeded in title and estate by his eldest son Charles, late Earl of Newburgh: That your petitioner's mother, the late Charlotte, Countess of Newburgh, was the only child and heir of Charles, late Earl of Newburgh: That your petitioner is the eldest son of the said Charlotte, Countess of Newburgh, by Charles Radcliffe, Esq. her late husband, and was born in France in 1725. Now, in order to obviate any objections which may have arisen, or which may arise against your petitioner's enjoying the dignity and privileges of peerage

Robertson's Proceedings, 428.

Newburgh.

because he was born in a foreign country, while his father was attainted of high treason; May it therefore please your Majesty graciously to declare, that your petitioner is rightfully entitled, as well to the honour and dignity of the earldom of Newburgh, as to all the rights and privileges which are annexed to peers of this realm. This petition was, by his Majesty's command, presented to the House of Lords, 14th June 1784, and referred to the consideration of the lords committees of privileges. James Bartholomew, third Earl of Newburgh, died at Slindon in Sussex, 2d January 1786, in the 61st year of his age. He married, in 1749, Barbara, only daughter and heiress of Anthony Kemp of Slindon, by Anne, fifth daughter of Henry, fifth Viscount Montagu; and by her, who died at Midburst in Sussex, 12th September 1797, had a daughter, Lady *Anne*, who died unmarried, 26th November 1785, and a son,

VI. ANTHONY JAMES, fourth Earl of NEWBURGH, who was born in 1767, and succeeded his father 1786. Having presented a petition to parliament, leave was given, 3d June 1788, to bring in a bill for granting L. 2500 per annum to his Lordship, commencing from March 1787.

His Lordship married, 30th June 1789, Anne, only daughter of Joseph Webb, Esq. sister of Sir Thomas Webb of Odstock in Wiltshire, baronet.

Newburgh.

TITLES.—Anthony James Radcliffe, Earl of Newburgh, Viscount of Kinnaird, and Lord Livingston of Flacraig.

CREATIONS.—Viscount of Newburgh, 13th September 1647, to the first Earl, and the heirs male of his body. Earl of Newburgh, Viscount of Kinnaird, and Lord Livingston of Flacraig, by patent dated 31st December 1660, to the first Earl, ejusque hæredes quoscunque.

ARMS.—Argent, on a bend between three gillyflowers, gules, an anchor of the first, all within a double tressure, vert.

CREST.—A Moor's head, proper, banded, gules, and argent, with pendants, argent, at his ears.

SUPPORTERS.—Dexter, a savage, proper, wreathed about the head and middle, vert; sinister, a horse, argent, furnished, gules.

MOTTO.—*Si je puis.*

CHIEF SEAT.—Slindon in Sussex.

CHEYNE, VISCOUNT OF NEWHAVEN.

Newhaven.

Bridges' History of Northamptonshire, I. 348.

THE family of Cheyne is of great antiquity in the county of Northampton, where Sir John Cheyne acquired the manor of Cogenho by his marriage with Agnes, sister and heiress of William de Cogenho, who died in 1398. Sir John died in 1468, aged near 100; and his only son, Alexander, having predeceased him in 1445, the estate of Cogenho went to the grandson of his brother Thomas Cheyne. This Thomas Cheyne of Cheshamboys, married Eleanor, daughter of Sir John Chesham, and had a son, John, who died 6th May 1459, leaving by his wife Perinda, daughter of Sir Robert Whitney, a son, John Cheyne, who succeeded his grand-uncle in the manor of Cogenho, 1468, and died in 1496. He married Elisabeth, daughter of Sir Edmund Brudenel of Rains, by whom he had a son, John Cheyne of Cogenho, who died 1st July 1535. He married Margaret, daughter of Robert In-

Newhaven.

Newhaven. gylton of Thornton, and had a son, Robert Cheyne of Cogenho, who, by his wife Elisabeth, daughter of John Webb, relict of Fulk Wodhull, was father of John Cheyne of Cogenho. This John died in 1585. He married, first, Winifred, daughter of Lord Mordaunt, and by her, who died in 1562, had a daughter, Temperance; secondly, Joyce, daughter of Sir Anthony Lee, by whom he had two sons: 1. John; and, 2. Sir Francis, who married Mary, daughter of Thomas Powle, and died without issue in 1619. John, the eldest son, was disinherited, and died in 1587, leaving by Mary, daughter of Sir Thomas Skipworth of St Albans, a son, Francis Cheyne, who succeeded to his uncle, Sir Francis, and died 1644. He married, first, Elisabeth Wright, without issue; secondly, Anne, daughter of Sir William Fleetwood; by her he had three sons, William, who died before him in 1641; Francis, who also predeceased him in 1630; and,

I. Charles Cheyne of Cogenho, who succeeded his father 1644, and purchased Lysons. from William and Anne, Duke and Duchess of Hamilton, the estate of Chelsea in 1657, and the manor of the same 1660, disposing of his paternal estate of Cogenho, when he made that acquisition. He was chosen Member of Parliament for Agmondisham 1660, and created a peer of Scotland, by Mag. Sig. L. lxvii. No. 250. the titles of Viscount of Newhaven, in the county of Edinburgh, and Lord Cheyne, by patent dated 17th May 1681, to him and the heirs male of his body. He was chosen Member of Parliament for Newport, in Cornwall, 1695; and dying 13th July 1698, in his 74th year, was buried at Chelsea. He married Lady Jane Cavendish, daughter of William, Duke of Newcastle, and by her, who dying 1st November 1669, was buried at Chelsea, where a monument is erected to her memory, had issue, Newhaven.

1. Hon. *Elisabeth* Cheyne, baptised at Chelsea, 18th May 1656, married to Sir Lysons. Henry Monson of South Carlton, in Lincolnshire, baronet, Member of Parliament for the city of Lincoln. He died, without issue, 6th April 1718; and his relict was buried at South Carlton, 29th April 1725, æta. 69.

2. *William*, second Viscount of Newhaven.

3. Hon. *Catherine* Cheyne, who, dying unmarried, was buried at Chelsea, 25th March 1670.

II. William, second Viscount of Newhaven, baptised at Chelsea, 14th July Ibid. 1657; succeeded his father, 1698; was chosen Member of Parliament for Buckinghamshire, and for Agmondisham, 1698, and made his election for the former; for Agmondisham, 1701; for Buckinghamshire, 1702; for Agmondisham, 1705. A new writ was issued for that place, in 1707, on his becoming a peer of the united kingdom. He was appointed lord-lieutenant of the county of Buckingham, 1712; removed from that office, on the accession of King George I., 1714; and died at Ampleforth, in Yorkshire, on the 14th of December 1738, in his 82d year. He married, at Chelsea, 16th December 1675, the ceremony being performed by the Bishop of Winchester, Miss Elisabeth Thomas, granddaughter of Lady Morgan; but it does not appear he had any issue by her, and his titles became extinct.

MAXWELL, EARL OF NITHSDALE.

Nithsdale. I. Maccus, the son of Unwin, attaching himself to Earl David, was Caledonia, I. 510. one of the witnesses to the Inquisitio Da- Chart. Off. St. vidis. He obtained, from that beneficent 173. prince, some lands on the Tweed, which, from him, acquired the appellation of Macusville. He witnessed the charter of foundation of the monastery of Selkirk, by David, after his accession to the throne of Scotland, and left two sons. Nithsdale.

Nithsdale.

1. *Hugo.*

Chartul. Kelso. D.

2. *Edmund*, witness to a perambulation and division of the lands of Mella.

3. *Liulph*, filius Maccus, witness to a charter of Malcolm IV. to the abbacy of Kelso, 1159.

Ib. 261.

II. Hugo de Maccusville, the eldest son, witnessed, along with Herbert the chancellor, a donation of King David I. to the monastery of Newbottle. His son,

Chartul. of Newbottle. D.

III. Herbert de Maccusville, flourished under Malcolm IV. and William I.; held the office of sheriff of the county of Roxburgh, and made a donation to the monastery of Kelso, of the church of Macuswell, for the welfare of his soul; confirmed by Malcolm IV. He witnessed several charters of William I. to the monasteries of Kelso and Paisley, and died about 1200, leaving two sons,

Chartul. Kelso and Paisley. D.

1. Sir *John.*

2. *Robert* de Macuswell, who, in a donation to the monastery of Kelso, is designed son of Herbert the vicecomes, and brother of Sir John.

Chart. Kelso. D.

IV. Sir John Macuswell, the eldest son, succeeded his father in his lands, and in the sheriffship of the county of Roxburgh. Joannes de Macuswell, vicecomes de Roxburgh, witnessed agreements of the abbot and convent of Kelso, 1203 and 1207. Johannes de Maunswell, was a commissioner to negotiate with England, in 1215; Johannes de Maccuswell was one of the guarantees of the marriage treaty of Alexander II. and Johanna of England, 15th June 1220; and was present at their marriage, at York, 18th June 1221. Sir John Macuswell witnessed several charters and other papers from 1221 to 1230; and acquired the barony of Caerlaverock, in the county of Dumfries. Sir John Macuswell, Lord of Caerlaverock, was constituted great-chamberlain of Scotland, in 1231; and, under the designation of Camerarius Scotiæ, witnessed several charters of Alexander II. to the monasteries of Coldingham and Dunfermline. He died in 1241, leaving a son,

Ibid.

Fœdera, I. 203, 241, 252.

Chart. Moray, Kelso, Paisley.

Crawf. Off. St. 361. Chart. Coldingham, Dunfermline, and Levenax. D. Chron. Melrose. D.

V. Eumerus de Macuswell of Caerlaverock, who witnessed a charter of Alexander II. to the monks of Coldingham, 1232; and two other charters in 1235 and 1239. He had the office of great-chamberlain of Scotland, being designed Aimeris de Makeswel Camerarius Scotiæ, in 1258, when, with other barons, he engaged that Scotland should not make a separate peace with the English, without consent of the Welsh. He was also justiciary of Galloway; and married Mary, daughter and heiress of Roland de Mearns, with whom he got a considerable estate, particularly the barony and castle of Mearns, in Renfrewshire. Aymerus de Makeswell, was one of the Anti-Gallican party, removed from the councils of Alexander III., by the English monarch, 1255. They had two sons,

Nithsdale. Chartul. Coldingham, Maxray, Paisley. Crawf. Off. St. 363. Fœdera, I. 603.

1. Sir *Herbert.*

Ib. 366.

2. Sir *John*, who is designed brother of Sir Herbert, in a donation to the monastery of Paisley. He got from his father the barony of Nether Pollock, in Renfrewshire; the lands of Dryps and Calderwood, in Lanarkshire; and was ancestor of the Maxwells of Pollock, baronets; the Maxwells of Calderwood, baronets; the Maxwells of Cardoness, baronets; the Earls of Farnham, in Ireland; the Maxwells of Parkhill, Newark, and other families of that name.

Douglas's Baronage, 52 to 56, 450 to 453.

VI. Sir Herbert de Makeswelle of Caerlaverock, the eldest son, had a charter of the lands of Wester Penketland, on the resignation of John de Pencateland, 1276. He sat in the parliament of Scone, 5th February 1283-4, when the nobles became bound to receive Margaret of Norway as their sovereign, in the event of the demise of Alexander III.; and he also was present in the assembly at Brigham, 12th March 1289-90, when the marriage of Queen Margaret with Prince Edward was proposed. He was one of the nominees on the part of Robert Bruce, in his competition for the crown of Scotland, 1292; swore fealty to Edward I., in 1296; and died before 1300, leaving three sons.

Dalr. Coll. 353.

Fœdera, II. 266, 471, 555.

Prynne, III. 651.

1. Sir *John*, who, with his father, swore fealty to Edward I., in 1296; and granted a charter to Adam de Gordon, of the lands of Glenkens, in Galloway, under the de-

Ibid.

Macf. Coll. II. 194. D.

Nithsdale.

signation of John, son and heir of Herbert de Makswell. He died without issue.

2. Sir *Herbert*.

3. *Alexander*, who witnessed a donation of his brother to the monastery of Paisley.

VII. Sir HERBERT MAXWELL of Caerlaverock, the second son, in his brother's lifetime, made a donation to the monastery of Paisley, of some lands in his territory and new village of Mearns, to which his brothers, Sir John and Alexander, are witnesses. His seal, together with that of Robert, Bishop of Glasgow, are thereto appended. This deed has no date; but Robert (Wiseheart) was bishop of Glasgow from 1273 to 1300. He made another donation to the same, of six marks per annum, out of his mill of Mearns, about 1300, witnessed by Sir John Maxwell of Nether Pollock. He had two sons,

Chartul. Paisley, fol. 61, 62. D.

1. Sir *Eustace*.
2. *John*.

VIII. Sir EUSTACE MAXWELL, of Caerlaverock, the eldest son, was one of the patriots who adhered to Robert I. in all his vicissitudes of fortune. The English besieging his castle of Caerlaverock, he held it out for some weeks, and forced them to raise the siege; but, lest it should afterwards fall into their hands, and enable them to annoy the country, he dismantled and threw it down, in recompence for which service, pro fractione castri de Caerlaverock, he had a grant from King Robert of an annualrent of L.10 sterling, and a release of L. 22 sterling of annualrent, payable out of the barony of Caerlaverock to the King. Among the charters of that monarch, is one to Eustacius Maxwell, of the lands of Westerraw, Pedynane, and Park, forfeited by John, filius Valdevi; and two others to him of a discharge of L. 32 sterling, addebted furth of his own lands, for demolishing of Caerlaverock, and of an annual for the same*. Sir Eustace Maxwell was one of those noble patriots who signed the letter to the Pope, asserting the independency of Scotland, 6th April 1320; he was the same year tried for being concerned in the conspiracy of the Countess of Strathern and others, against King Robert I., but acquitted. King Edward III., 24th March 1336, ordered his treasurer to pay certain sums of money to Edward Baliol, King of Scots, and others, among them 300 marks were allotted to Eustachius de Makeswell, John de Vere, Earl of Oxford, and two more. Eustachius de Maxwell witnessed a charter of Edward Baliol of the lands of Bonkyl, 1340.

Crawf. Peer. 269.

Robertson's Index, 11, 12, 16.

Nithsdale.

Fordun, II. 274, 275. Dalr. Ann. II. 108.

Federa, IV. 694.

Ibid. V. 177. D.

He married, it is said, Helen Maxwell, of the house of Pollock, and by her, who survived him, had probably a son,

IX. HERBERT DE MAXWELL of Caerlaverock, who obtained from King David II., a charter of the discharge of the duty of Caerlaverock. The same monarch granted to Herbert Murray a charter of half of the barony of Pedynane, in Lanarkshire, forfeited by Herbert Maxwell. He appears to have died without issue.

Robertson's Index, 31, 36, 37.

VIII. JOHN DE MAXWELL, his uncle, had the estate of Pencaitland, out of which he granted to the monks of Dryburgh an annuity. He also gave to them the advowson of the church of Pencaitland, with the chapel of Paystoun, and the church lands, tithes, and profits. He was one of the prisoners taken at the battle of Durham, 17th October 1346, and died soon afterwards. His son,

Ibid. 38.

Caledonia, II. 528.

Dalr. Ann. III. 112.

IX. Sir JOHN MAXWELL of Maxwell and Caerlaverock, confirmed his father's grant to the abbacy of Dryburgh, in which he calls himself son of the late John de Maxwell, and heir of Eustace Maxwell, his brother. Johannes de Maxwell, miles, sat in the parliament at Edinburgh, 26th September 1357, when the demands of the English for the release of King David II. were agreed to; and he had a safe conduct to go into England, 1365. He gave to the monastery of Kilwinning the patronage of the church of Liberton, and a piece of ground adjacent thereto, for the welfare of his soul and that of Christian his wife, confirmed by David II.

Caledonia, II. 526.

Dalr. Ann. II. 267.

Federa, VI. 43. 483. Reg. Mag. Sig. 34.

* King Robert I. granted charters to William Maxwell and his wife, of the lands of Apiltrie, resigned by Thomas Carnoco, and to Helen Siward, daughter of Richard Siward, wife of Isaac Maxwell, of the lands of Kellie in Fife, 12th March 1327. She afterwards resigned these lands to Walter Oliphant, who had a charter of them from David II. Robertson's Index, 11, 28, 31.

Nithsdale.

1367. He had a charter to Sir John de Maxwell, knight, of the lands of Softlaw, in the barony of Maxwell, in Roxburghshire, forfeited by William Stewart, from King Robert II., 11th November 1373, and appears to have died soon afterwards, leaving a daughter, *Agnes*, married to Robert Pollock of Pollock, and a son,

Reg. Mag. Sig. 103.

Crawf. Peer. 370.

X. Sir ROBERT DE MAXWELL of Caerlaverock, who had a safe conduct to Robert de Maxwell de Scotia, to come into England with six horse in his retinue, 5th December 1363, again, to visit St Thomas at Canterbury, 8th June 1364, also to go abroad, 16th October 1365. He obtained from King Robert II. a charter, dated at Kilwinning, 19th September 1371, to Robert de Maxwell, son and heir of John de Maxwell of Caerlaverock, knight, of all the lands which the said Sir John held of the King in capite, and which he had resigned into his Majesty's hands the preceding day, reserving the liferent of the same to himself, and the terce to Christian his wife, if she should happen to survive him. Sir Robert gave to the monks of Dryburgh, in pure alms, that land in his territory of Pencaitland, which John Maitland, Lord of Thirlestane, held of him, for the welfare of his soul and that of Herbert his son and heir. He was one of the ambassadors to England for treating of weighty matters, 1413, and died about 1420, leaving issue,

Fœdera, VI. 428, 441, 478.

Reg. Mag. Sig. 89.

Crawf. Peer. 370.

Fœdera, IX. 71. D.

1. Sir *Herbert*.

2. *Amerus* de Maxwell, designed frater Herberti, in a charter under the great seal, 1424-5.

Mag. Sig. I. ii. No. 3.

Daughter, *Margaret*, married to Sir John de Montgomery of Eglisham.

XI. Sir HERBERT MAXWELL of Caerlaverock, the eldest son, had a charter from Archibald, Earl of Douglas, consanguineo suo Herberto de Maxwell, militi, Domino de Caerlaverock, of the office of steward of Annandale, and twenty pounds a-year, dated 8th February 1409-10. He had a charter from Murdac, Duke of Albany, of the lands of Garnsalach and Dursquen, in the barony of Dalswinton, on the resignation of Mary Stewart of Dalswinton, 28th October 1420. Herbertus de Maxwell de Carlafrok, had a safe conduct to go to Durham to King James I., 13th December 1423; was arrested with Murdac, Duke of Albany, 1425, and was warden of the west marches, 1430 and 1438. Herbertus, Dominus de Carlanerok, was one of the conservators of a truce with England, 20th March 1438. He married Margaret, daughter and heiress of Sir John de Cragy of Cragy, in the county of Linlithgow, relict of Sir John Stewart, a younger son of Sir Robert Stewart of Durrisdeer. This appears from a charter of Robert, Duke of Albany, of date 25th October 1407, confirming a grant of lands by Margaret de Cragy, wife of Herbert de Maxwell, knight, with consent of her said husband, and of Alexander Stewart, her son and heir*, of her lands of Ardlory, in Kinross-shire, to William Currour Forster, burgess of Edinburgh, on account of matrimony to be contracted betwixt the said William and Anna her daughter. By Sir Herbert Maxwell she had issue,

Ibid. I. ii. No. 49. I. iii. No. 153.

Nithsdale.

Fœdera, X. 302. Fordun, II. 483. Fœdera, X. 491, 695.

Reg. Mag. Sig. 238.

1. *Robert*.

2. *Eustace* Maxwell of Tealing in Forfarshire, which lands he obtained by his marriage with Mary, third sister and coheiress of Hugh Gifford of Yester.

Daughter, *Janet*, married to William Douglas of Drumlanrig.

XII. ROBERT MAXWELL, the eldest son, had a charter, Roberto de Maxwell, filio et heredi Domini Herberti de Maxwell, militis, Domini de Caerlaverock, et Jonetæ filiæ Joannis Forstare, Domini de Corstorphin, and the longest liver of them, and the heirs male to be procreated betwixt them; which failing, to Herbert and the heirs male of his body; which failing, to Amerus de Maxwell, brother of Herbert, of the lands of Libertoun, in the barony of Carnwath, from his cousin Thomas de Somerville, Lord of Carnwath, dated 13th January 1424-5. By the said Janet his wife, daughter of Sir John Forrester of Corstorphin, chamberlain of Scotland, he had a son,

Mag. Sig. I. ii. No. 3.

XIII. HERBERT MAXWELL of Caer-

* This Alexander Stewart, inheriting the antient property of the family of Cragy, was ancestor of the Stewarts of Cragyhall, in the county of Linlithgow.

Nithsdale. laverock*, who was one of the guarantees of a treaty with the English, 15th December 1430, being designed Herbertus, Dominus de Maxwell; and again, in November 1449, under the designation of Herbertus, Dominus Maxwell, which indicates that he was then a peer of parliament. Herbertus, Dominus Maxwell, was one of the conservators of a truce with England, 14th August 1451; again, 23d May 1453, although, according to the first edition, he died in October 1452. He married, first, a daughter of Sir Herbert Herries of Terregles, by whom he had issue,

Fœdera, X. 487, XI. 253, 300, 334.

1. *Robert*, second Lord Maxwell.

2. Sir *Edward* Maxwell of Tinwald, who had a charter of the barony of Mureith (Monreith), 15th January 1481-2, ancestor of the Maxwells of Monreith, baronets.

Mag. Sig. L. v. No. 11.

Daughter, *Catherine*, married to Gilbert, first Lord Kennedy. They had a charter 1450.

He married, secondly, Catherine, daughter of Sir William Seton of Seton, relict of Sir Alan Stuart of Derneley who was killed in 1439, mother of John, first Earl of Lennox. A charter of the lands of Carnsalath and Dursquen, in Dumfries-shire, was granted to Catherine de Seton, sponsa quondam Herberti, Domini le Maxwell, patris Roberti nunc Domini Maxwell, and, after her death, to George Maxwell, her son by the said deceased Herbert, Lord Maxwell, David, Adam, John, and William, his brothers-german, Jonet and Mariot, sisters of the said William, by the said Robert, Lord Maxwell, dated 20th March 1475-6. By her he had issue,

L. vii. No. 332.

1. *George*, ancestor of the Maxwells of Garnsalloch.

2. *David*.

3. *Adam*, ancestor of the Maxwells of Southbar.

4. *John*.

5. *William*.

1. *Janet*.

2. *Mariot*.

XIV. Robert, second Lord Maxwell, the eldest son, was served heir of his father Herbert, Lord Maxwell, 4th February 1453. Robertus, Dominus Maxwell, was guarantee of a truce with England, 11th June 1457; again, 12th September 1459; and he sat in parliament as a peer, 14th October 1467. It is said he married Janet Crichton, daughter of George, Earl of Caithness; but the great seal register contains a charter, dated 25th May 1460, of the lands of Barntoun, to George Maxwell, on the resignation of his mother Janet, daughter of the deceased George, Earl of Caithness, wife of *John* Maxwell. Robert, second Lord Maxwell, had issue,

Nithsdale. In Arch. Fam. de Maxwell. D. Fœdera, XI. 426, 393. Rec. Parl. Mag. Sig. L. v. No. 96.

1. *John*, third Lord Maxwell.

2. *George*, [qu.?]

3. *Thomas*, ancestor of the Maxwells of Kirkconnell.

Daughter, *Janet*, married to John, first Lord Carlyle of Torthrewald.

XV. John, third Lord Maxwell, who, on the resignation of his father, had a charter, dated 14th February 1477-8, to John Maxwell, son and heir apparent of Robert, Lord Maxwell, of the barony of Maxwell in Roxburghshire, Caerlaverock, in the county of Dumfries, and Mernys in Renfrewshire. John Maxwell, son and heir appparent of Robert, Lord Maxwell, occurs in the records of parliament, 12th December 1482. John Maxwell, steward of Ananderdale, was one of the commissioners nominated to settle border differences by the treaty of Nottingham, 23d September 1484; and John, Lord Maxwell, was one of the conservators of a truce for the west marches, 3d July 1486. He had a charter to John, Lord Maxwell, and Agnes Stewart his wife, of the lands of Wodden, in the barony of Maxwell in Roxburghshire, and part of Mearns, 20th February 1491-2. He was one of the commissioners to treat with England, 29th July 1494; had charters of Mekil Drippis, 5th June 1507, and of Gordonstoun and Grenane, in the stewartry of Kirkcudbright, 2d March 1507-8; and he fell at the battle of Flodden, 9th September 1513. He married Agnes, daughter of Sir Alexander Stewart of Garlies, and by her had issue,

L. vii. No. 67. Acta Audito-rum, 105. Fœdera, XII. 286, 291, 355. Mag. Sig. L. xii. No. 258. L. xiv. No. 375, 463. L. xvi. No. 10.

1. *Robert*, fourth Lord Maxwell.

* In rotulo computorum Vicecomitatum computum Herberti, Domini de Maxwell, militis, Vallis Annandiæ, 17th June 1444 and 1447. Carmichael's Tracts, 33.

Nithsdale.

2. *Herbert*, ancestor of the Maxwells of Clowdon.

Fœdera, XIV. 796.

3. *Edward*, who was taken at the rout of Solway by Dacre and Musgrave in 1542, and released next year on payment of a ransom of L. 100 sterling.

1. *Mary*, married to Sir John Johnston of Johnston.

2. *Agnes*, married to Robert Charteris of Amisfield.

3. *Elisabeth*, married to Jardine of Applegirth.

XVI. ROBERT, fourth Lord MAXWELL, the eldest son, had a charter of several lands in the county of Dumfries, 29th November 1510; was knighted, and had a charter, Roberto Maxwell, militi, filio et heredi apparenti Joannis, Domini Maxwell, of the office of steward of Annandale, on his father's resignation, 10th June 1513. Succeeding his father the same year, charters were granted to Robert, Lord Maxwell, of Ewisdale, in Dumfries-shire, forfeited by Alexander, Lord Home, 10th November 1516; of the King's lands of Drumknow, in Dumfries-shire; Treiffgranges, the custody of the King's castle of Trefe (Thrieve), and the office of steward of Kirkcudbright, 16th November 1526; of Craufordmure, and half of Dunsyre, forfeited by the Earl of Angus, 5th September 1528; of Spottis, in the stewartry of Kirkcudbright, to him and Agnes Stewart, Countess of Bothwell, his wife, 29th September 1529; of Craufordsmuir, Bonnytoun, and Hyndford, in Lanarkshire, forfeited by John Lindsay, and of Halkshaw, in the county of Peebles, forfeited by the Earl of Angus, 1st January 1529-30; of Wauchopdale, in the county of Dumfries, 7th January 1529-30; of Locherwood, in Annandale, 13th February 1529-30; of several lands in Eskdale, 27th July 1532; of Lochquhorat, Hakbray, and Park, in the county of Edinburgh, to him and Agnes, Countess of Bothwell, his wife, 31st July 1534; of the barony of Maxwell, in Roxburghshire; Caerlaverock, Sprynkaillie, Garnsalfauth, Dursquhan, Gordonstoun, and Grenvane, in the counties of Dumfries and Kirkcudbright; Balmacreuthy, in Perthshire, and Mernis, in the county of Renfrew, united into the barony of Maxwell, 28th July 1534; of the King's barony of Buthill, in the stewartry of Kirkcudbright, on account of his resignation to the King of Craufordmure and Dunsyre, to him and Agnes, Countess of Bothwell, his wife, 10th June 1535; of Philiphaugh, in Selkirkshire, 24th April 1535; of Logane and Natoun de Mure, in Annandale, 22d March 1536. Lord Maxwell held the office of guardian of the west marches, and was so designed in a ratification of the treaty with the English, 7th October 1517; was one of the commissioners of the regency constituted under the great seal, 29th August 1536, when James V. was about to proceed on his matrimonial expedition to France; and he was one of the ambassadors sent to that kingdom to negotiate the marriage of James with Mary of Lorrain in December 1537. A charter passed the great seal, 6th June 1540, of the lands and baronies of Maxwell, Caerlaverock, Locherwood, Springkell, Dunsyre, Balmacrewthy, Gordonstoun, Grenvane, Spottis, Mernis, Drippis, and Nether Pollock, to Robert, Lord Maxwell, guardian of the west marches, for life; remainder to Robert, master of Maxwell, his son and heir apparent, John, his second son, Edward Maxwell of Tynwall, Edward Maxwell of Lochruton, John Maxwell of Cowhill, Herbert Maxwell, brother-german of the said Lord Maxwell, and Edward Maxwell, likewise his brother-german, and the heirs male of their bodies respectively. Robert, Lord Maxwell, and Agnes, Countess of Bothwell, his wife, had a charter of Buthill, 12th June 1541. He was constituted one of the extraordinary lords of session, 2d July 1541; was one of the prisoners taken at Solway in November 1542, and ransomed, 1st July 1543, for 1000 marks sterling. He was one of the English party, and a pensioner of Henry VIII., promoting the match betwixt Queen Mary and Prince Edward; and, in the parliament 1543, he performed a most essential service to the cause of the reformation, by proposing that permission should be granted to all to read the bible in the vulgar tongue, which was carried into effect. He died on the 9th of July 1546.

Nithsdale.

Fœdera, XIII. 600.

Mag. Sig. L. xxvi. No. 1. Pinkerton, II. 227, 231.

Mag. Sig. L. xxvi. No. 421. L. xxviii. No. 40.

Fœdera, XIV. 797.

Sadler, I. 178.

Inq. Ret. i. 167.

He married, first, Janet, daughter of Sir

Mag. Sig. L. xvi. No. 90. L. xviii. No. 173. L. xix. No. 114. L. xxi. No. 9. L. xxii. No. 161. L. xviii. No. 81, 109, 110, 164, 203. L. xxiv. No. 248. L. xxv. No. 144, 145, 198, 199. L. xxvi. No. 20, 75, 78.

Nithsdale.

William Douglas of Drumlanrig, and by her had issue,

1. *Robert*, fifth Lord Maxwell.

2. Sir *John* Maxwell of Terregles.

Daughter, *Margaret*, married, first, 9th April 1543, to Archibald, Earl of Angus; secondly, to Sir William Baillie of Lamington.

He married, secondly, Agnes, natural daughter of James, Earl of Buchan, relict of Adam, second Earl of Bothwell, without issue; she had a charter of half of Caerlaverock and Mernis from her husband, Lord Maxwell, 13th November 1545.

Mag. Sig. L. xxix. No. 315.

XVII. Robert, fifth Lord Maxwell, was served heir of his father, 1st August 1550; was one of the commissioners to treat with the English, 8th May 1551, and died 14th September 1552. He married Lady Beatrix Douglas, second daughter of James, third Earl of Morton. A charter was granted to her, in her virginity, for her life, by Robert Maxwell, son and heir apparent of Robert, Lord Maxwell, 25th July 1530, of the barony of Mernis, and other lands appertaining to Agnes Stewart, relict of John, Lord Maxwell, for her life, reserving the terce of the same to the said Robert, Lord Maxwell, and, after his decease, to Agnes Stewart, Countess of Bothwell, his wife. By her he had a posthumous son,

Inq. Ret. i. 167.

Fœdera, XV. 283.

Mag. Sig. L. xxiii. No. 203.

XVIII. John, sixth Lord Maxwell, who was served heir of his father, 24th May 1569, and, with consent of his curators, granted a charter of the lands of Mernis, Drippis, Neyerpollock, Caerlaverock, Locherwood, and Duncow, 4th February 1571-2, to Elisabeth Douglas, sister of Archibald, Earl of Angus, in her virginity, for the matrimony to be contracted betwixt them. He had charters of Carruthers, Drysdaill, and other lands, 26th October 1573; of Trailtrow and two mills on Clowden, 27th September 1574; and of Cummertrees and Pettynane, 7th March 1580-1. On the execution and attainder of the Regent Morton, John, Lord Maxwell, obtained, as representative of his mother, Lady Beatrix Douglas, a charter of the earldom, barony, and regality of Morton, of new erected into the earldom of Morton, 5th June 1581, ratified with consent of parliament, 19th November 1581; but the attainder being rescinded, he was deprived of that title, which went to the heir of entail, in January 1585. Lord Maxwell now visited Spain, from whence, arriving in Scotland in 1588, he began to assemble his followers, and to take arms, that he might be ready to assist the Spaniards in their proposed invasion of Britain. King James VI., marching suddenly to Dumfries, made him prisoner, and dispersed his men. He held the office of guardian of the west marches; but it being taken away from him, and given to the laird of Johnston, a great deal of discord ensued betwixt the two families. He was afterwards restored to that office, but the feud continued; and he was killed in an engagement with the Johnstons, 7th December 1593, when, being a tall man, and heavy with armour, he was struck from his horse and dispatched. He was a person of great spirit, humane, courteous, and more learned than noblemen commonly are, but aspiring, and ambitious of rule.

Inq. Ret. i. 64.

Mag. Sig. L. xxxiii. No. 29. L. xxiv. No. 19, 170, 171. L. xxxv. No. 398, 428, 461.

Nithsdale.

Robertson, II. 357, 358.

Birrell's Diary, 19. Spottiswood, 402.

He married, in 1572, Lady Elisabeth Douglas, second daughter of David, seventh Earl of Angus. She married, secondly, John Wallace of Craigie, as appears from a charter, Elisabethæ Douglas, relictæ quondam Joannis, Domini Maxwell, nunc sponsæ Joannis Wallace de Craigie, of the lands of Previck in Ayrshire, 5th August 1598, and dying at Edinburgh, in February 1637, was buried at Lincluden, having had issue by her first husband,

Mag. Sig. L. xli. No. 366.

Balfour's Annals, MS.

1. *John*, seventh Lord Maxwell.

2. *Robert*, eighth Lord Maxwell.

1. *Elisabeth*, married to John, seventh Lord Herries.

2. *Agnes*, married to Willam Douglas of Penzie.

3. *Margaret*, married to Hugh Wallace of Craigie.

XIX. John, seventh Lord Maxwell, the eldest son, was served heir male of his father, 11th April 1601, 13th September 1603, and 19th September 1604. The feud with the Johnstons still continued; a meeting was appointed betwixt him and Sir James Johnston of Johnston, 6th April 1608, when Lord Maxwell killed Sir James.

Inq. Ret. iii. 44, 111, 114.

Crawf. Peer. 372.

Nithsdale.

Lord Maxwell absconded; returned to Scotland in 1612, when, being closely pursued in the south country, he retired to Caithness, intending to take shipping for Sweden. He was betrayed by the Earl of Caithness, tried, and beheaded at the cross of Edinburgh, 21st May 1613. He married Lady Margaret Hamilton, only daughter of John, first Marquis of Hamilton, without issue. His brother,

Hist. Sutherland, 288.

XIX. ROBERT, eighth Lord MAXWELL, was restored to the title and estate of the family, by letter under the great seal, 13th October 1618, and was served heir of his brother, 13th July 1619. He was created Earl of Nithsdale, Lord Maxwell, Eskdale, and Carlyle, by patent, dated at Farnham, 20th August 1620, with precedency from 29th October 1581, the date of his father's charter of the earldom of Morton. He was, in 1625, named by King Charles I. his commissioner to obtain an unconditional surrender of the tithes; but the proprietors prepared to disappoint his mission, and determined, if no arguments could persuade him to desist, to massacre him and his adherents at the convention. Nithsdale, intimidated by their hostile appearance, suppressed the most violent part of his instructions, and returned to court, 1626. He was, on the 11th May 1630, served heir in general of John, Lord Maxwell, abavi, and Robert, Lord Maxwell, proavi. He joined Montrose in 1644, for which he was excommunicated by the General Assembly, and he died in May 1646. By his wife, Elisabeth, daughter of Sir Francis Beaumont, a near relation of George, Duke of Buckingham, he had a son,

Inq. Ret. xii. 47.

Mag. Sig. L. xlix. No. 290.

Laing, II. 91.

Inq. Ret. xiii. 290.

Robert, second Earl of Nithsdale;—and a daughter,

Lady *Elisabeth*, who died at Dumfries in 1623, when the plague raged in that town, as appears from the records of kirk-session there.

Lord Hailes' MS. Notes.

XX. ROBERT, second Earl of NITHSDALE, the only son, joined the Marquis of Montrose, for which he was excommunicated by the General Assembly, 26th April 1644, and was the same year captured in Newcastle, when it was taken by storm by the Scotish army. He was one of the royalists proposed to be excepted from pardon by the articles of Westminster, in July 1646, which the King rejected. An act was passed, 3d February 1647, in favour of the Earl of Nithsdale, restoring him against his father's forfeiture; he was commonly called the Philosopher; had a charter of the barony of Prestoun, in the stewartry of Kirkcudbright, 3d August 1663, and died unmarried in October 1667, when his titles and estates devolved on John, Lord Herries, descended from

Guthrie, 154, 226.

Nithsdale.

Rescindal Acts.

XVII. Sir JOHN MAXWELL, second son of Robert, fourth Lord Maxwell. He married Agnes, eldest daughter and coheiress of William, fourth Lord Herries of Terregles, and had a charter to John, master of Maxwell, (he being then presumptive heir of Robert, fifth Lord Maxwell,) and Agnes Herries, one of the daughters, and three heirs of William, Lord Herries, of one-third of Terregles, Kirkgunzean, Avandale, Moffatdale, Hoddam, and Myretoun Herries, in the counties of Dumfries Kirkcudbright and Wigton; Barnwell and Symontoun, in Ayrshire; and Fewroull, in Roxburghshire, dated 1st February 1549-50. John Maxwell of Terregles, knight, guardian of the west marches, was one of the commissioners to treat of peace with the English, 9th December 1559. The master of Maxwell was one of the ambassadors sent from the Lords of the congregation in February 1560, to arrange a treaty with the Duke of Norfolk on the part of Queen Elisabeth; he concluded another treaty with the English, 23d September 1563. He had charters, Joanni Maxwell de Terregles, equiti aurato, and to Agnes Herries, and the heirs betwixt them, of the lands of Redcastle, in the stewartry of Kirkcudbright, from Archibald Herries of Madenpanp, and the heirs male of the deceased William, Lord Herries, 22d May 1561; and of two-thirds of the barony of Terregles, from John Hamilton, commendator of Aberbrothwick, 3d September 1561. The barony of Terregles, Kirkgunzean, and half of Urr, were, by royal charter of 8th May 1566, of new erected into a lordship and barony, and granted to him and Agnes his wife. He

Mag. Sig. L. xxx. No. 49. L. xxxii. No. 336, 337, 338.

Fœdera, XV. 325.

Sadler, I. 703.

Fœdera, XV. 569.

Nithsdale. Rec. Parl. 660.

sat as Lord Herries in the parliament, 13th April 1567, on which day our Sovereign Lady understanding how, after her highness lawful and perfect age, declared in parliament, for the good, true, and thankfull service done to her Majesty by Sir John Maxwell, then of Terregles, knight, now Lord Herries, warden of the west marches, in using and exercising the office of wardanrie and justiciary within the said bounds, by the space of 22 years bypast, or thereby; and that, through his labours and execution of justice, the clans and broken men, which could not be refrained from theft, slaughter, and reiffes, were reduced to her obedience, for which cause, considering he sustained the deadly feud of the most part of the clans and broken men, and that he had in this her Highness's service, largely bestowed his goods, and spent the greatest part of his age, which her Majesty willing to recognize, and to give him and his posterity occasion to continue in his good service, &c. therefore, the Queen confirmed to him and Agnes Herries his wife, a charter and infeftment of the baronies of Terregles and Kirkgunzean, of 8th May 1566, to them and the heirs male of their bodies; which failing, to his nearest and lawful heirs male whatsoever.

John, Lord Herries, made a prominent figure in Scotish history, and was a nobleman of unshaken loyalty and approved worth. When the report of Queen Mary's intended marriage to Bothwell was circulated, he came to Edinburgh, and, urging the suspicions against that nobleman as the assassin of the King, upon his knees implored her to remember her honour and dignity, and the safety of the prince, all of which would be endangered if she married a man so loaded with infamy. This salutary counsel was disregarded; and he lost no time in returning to the country, attended by a guard sufficient to protect him from any attack of Bothwell for his honest advice to the Queen. He was engaged on the side of Mary at the battle of Langside in May 1568, and after the loss of the day, when the Queen intimated her determination to seek refuge in England, he, on his knees, conjured her not to confide in the generosity of Elisabeth; but his entreaties were still unavailing. He was forfeited in parliament, 19th August 1568, but sentence was deferred. He was one of the commissioners nominated on the part of Mary in September 1568, and discharged his duty with zeal and ability, making a celebrated speech on her behalf, before the commissioners at York, 1st December 1568, printed in Sadler's State Papers. Next year he joined the Duke of Chatelherault in opposing the Regent Moray; but they entered into a treaty with him, who agreed to repeal their forfeiture. Notwithstanding this treaty, they were, in April 1569, committed prisoners to the castle of Edinburgh, but were soon released. Lord Herries still continued actively engaged in the Queen's party, 1571; but seeing no prospect of success, he laboured earnestly to bring about a pacification, which was at last effected. He had a charter of the lands of Barnebachill and Couchwell, in the stewartry of Kirkcudbright, 1st October 1572; was, along with Lord Glamis, the chancellor, sent by King James VI. in March 1578 to the Earl of Morton, to require his resignation of the regency; and he died before May 1594. By Agnes, Lady Herries, his wife, he had issue,

Melvil, 78.

Nithsdale. Rec. Parl. 817.

Sadler, II. 334.

Bannatyne's Journal.

Mag. Sig. L. xxxiii. No. 6.

1. *William*, sixth Lord Herries.

2. Hon. *James* Maxwell of Brachinside, father of Alexander Maxwell of Terraughty, who had two sons, John Maxwell of Terraughty, and William Maxwell of Carnchau. John Maxwell of Terraughty, the eldest son, was father of John Maxwell of Terraughty, now (in 1811) in his 92d year. He was, 4th June 1778, served heir male of his cousin, Robert, Earl of Nithsdale. He married, first, in 1741, Miss Agnes Hannay of Dumfries; secondly, Agnes, daughter of William Maxwell of Munshes, who, on the death of her brother, George Maxwell, succeeded to the estates of Munshes and Dinwoodie, which devolved on her husband, on her death without issue. By his first wife, John Maxwell of Terraughty was father of, 1. Elisabeth, married to John Harley, surgeon in Dumfries, and had several children, all dead without issue, except Alexander and Agnes. 2. Alexander Maxwell, who married, first, Charlotte, daughter of James Douglas, physician in Carlisle, fourth son of Sir Wil-

Nithsdale.

liam Douglas of Kelhead, baronet, by whom he had one daughter, Charlotte, who died young; secondly, in 1783, Marion, eldest daughter of William Gordon of Greenlaw, relict of William Kirkpatrick of Raeberry, without issue. 3. William Maxwell, deceased, married to Janet, daughter of John Syme of Barncailzie, W. S. and had three sons, John, George, and Alexander, who all died unmarried; and two daughters, Clementina and Agnes. 4. Agnes Maxwell, married to John Robertson, minister of Kirkconnell, and had several children, all dead without issue except Elisabeth, married to John Rae, minister of Parton, and Agnes. 5. Jean, married to William Hyslop of Lochend, and has issue, John Hyslop, surgeon in London, Agnes, the wife of David Gordon, second son of Sir Alexander Gordon of Greenlaw, knight, and other children. 6. Catherine, married to Wellwood Maxwell of Barncleugh, and has issue. 7. Margaret.

1. Hon. *Elisabeth* Maxwell, married, in 1563, to Sir John Gordon of Lochinvar, and had issue.

2. Hon. *Margaret* Maxwell, married to Mark, first Earl of Lothian, and had issue.

3. Hon. *Mary* Maxwell, married to William, sixth Lord Hay of Yester, and had issue. She had a charter from him, 24th February 1590-1.

Mag. Sig. L. xxxvii. No. 409.

4. Hon. *Grizel* Maxwell, married to Sir Thomas Maclellan of Bombie, and was mother of the first Lord Kirkcudbright.

XVIII. WILLIAM, sixth Lord HERRIES, was infeft as heir of his father in May 1594, and died 10th October 1604. He married Catherine Kerr, sister of Mark, first Earl of Lothian, by whom he had a son,

John, seventh Lord Herries;—and two daughters,

1. Hon. *Sarah* Maxwell, married, first, to Sir James Johnston of Johnston, killed by Lord Maxwell in 1608; secondly, to John, first Earl of Wigton; thirdly, to Hugh Montgomery, Viscount of Airds in Ireland, and was buried 29th March 1636.

Balfour's Annals, MS.

2. Hon. *Margaret* Maxwell, married, contract dated 14th January 1605, to Robert Glendonwyn of Glendonwyn.

XIX. JOHN, seventh Lord HERRIES, the only son, was served heir of William, Lord Herries, his father, 26th January and 26th December 1604, and of John, Lord Herries, his grandfather, 25th January 1609, and 28th October 1617; had charters of Trailtrow, 31st May 1610, and of Craigley, 5th January 1611; and died about 1627. He married Elisabeth, eldest daughter of John, sixth Lord Maxwell, by whom he had a son,

Nithsdale. Inq. Ret. lii. 62, iv. 439, et carta. Ja Pub. Arch.

John, eighth Lord Herries; and a daughter,

Hon. *Elisabeth* Maxwell, married to George, second Earl of Wintoun, and had issue,

XX. JOHN, eighth Lord HERRIES, the only son, joining Montrose, was excommunicated by the General Assembly, 26th April 1644, and was one of those proposed to be excepted from pardon by the articles of Westminster in July 1646, which King Charles I. refused to ratify. He succeeded to the titles of Earl of Nithsdale and Lord Maxwell, and the family estates, in 1667. John, Earl of Nithsdale, Lord Maxwell and Herries, was, 9th April 1670, served heir male and of entail of Robert, Earl of Nithsdale, Lord Maxwell, Eskdale, and Carleill, proavi fratris immediate senioris, in his estates in the counties of Dumfries, Kirkcudbright, Perth, Roxburgh, and Wigton. He married Elisabeth, eldest daughter of Sir Robert Gordon of Lochinvar, baronet, sister of the first Viscount of Kenmure, and by her had three sons,

Guthrie, 134, 220.

Inq. Ret. xxx. 22.

1. *Robert*, fourth Earl of Nithsdale.
2. Hon. *John* Maxwell.
3. Hon. *William* Maxwell.

XXI. ROBERT, fourth Earl of NITHSDALE, the eldest son, succeeded his father, and died in March 1695. He married Lady Lucy Douglas, eighth daughter of William, first Marquis of Douglas, by whom he had a son,

William, fifth Earl of Nithsdale;—and a daughter,

Lady *Mary*, married to Charles, fourth Earl of Traquair, and had issue, and died at Edinburgh, 22d September 1759, æta. 88.

XXII. WILLIAM, fifth Earl of NITHS-

Nithsdale. Inq. Ret. xlvi. 21, xlvii. 301.

dale, the only son, was served heir male, and of line and entail of his father, 26th May 1696, and heir male and of entail of Robert, Earl of Nithsdale, vulgo nuncupat. lie Philosopher, pronepotis quondam Roberti, Domini Maxwell, fratris immediate senioris quondam Joannis, Domini Herries, pronvi quondam Joannis, Domini Herries, postea Comes de Nithsdale, qui fuit frater nuper Roberti, Comitis de Nithsdale, patris Willielmi, nunc Comitis de Nithsdale, pronepotis fratris tritavi, 19th May 1698. Engaging in the rebellion, 1715, he was taken at Preston in Lancashire, 14th November that year; sent prisoner to the Tower of London; tried by his peers, January 1716; found guilty, and sentenced to be executed along with the Earl of Derwentwater and the Viscount of Kenmure, on the 24th of February 1716. By the courage and resolution of his spirited lady, he effected his escape out of the Tower the preceding evening, a circumstantial narrative of which, from the pen of his Countess, is published in the Transactions of the Society of Antiquaries in Scotland, Vol. I. His Lordship had disponed his estate to his son, Lord Maxwell, 28th November 1712, reserving his own liferent; it was finally determined by the House of Lords, 21st January 1723, that only his liferent of the estate was forfeited. His honours were extinguished by his attainder; and he died at Rome, 20th March 1744. By his wife, Lady Winifred Herbert, daughter of William, Marquis of Powys, who, surviving him five years, died at Rome in 1749, he had a son,

John, Lord Maxwell;—and a daughter,

Lady *Anne*, married at Rome in December 1731, to John, Lord Bellew, of the kingdom of Ireland.

XXIII. John, Lord Maxwell, the only son, on his father's death in 1744, came into possession of the family estate, which had been conveyed to him in 1712. He assumed the stile of Earl of Nithsdale, and, under the act abolishing heritable jurisdictions, 1747, got L.525, 4s. 1d. for the regality of Terregles, and bailiary of regality of Lincluden, in full of his claim of L. 6600. He died at London, 4th August 1776. He married his cousin-german, Lady Catherine Stewart, fourth daughter of Charles, fourth Earl of Traquair; and by her, who died at London, 6th March 1773, had two daughters,

Nithsdale.

1. *Mary*, stiled Lady *Mary* Maxwell, who died at Terregles, 31st December 1747, in her 13th year.

2. *Winifred*.

XXIV. Winifred, stiled Lady Winifred Maxwell, the only surviving daughter, succeeded her father in estate, 1776, and died at Terregles, 13th July 1801, in her 66th year. She married, at Terregles, 17th October 1758, William Haggerston Constable of Everingham, second son of Sir Carnaby Haggerston of Haggerston, in the bishoprick of Durham, baronet, and by him, who died at Terregles, 20th June 1797, had issue,

1. *Marmaduke William* Constable Maxwell of Nithsdale, born January 1760.

2. *William* Constable Middleton of Stockeld-park in Yorkshire, married to Miss Grace of Ireland.

3. *Charles* Constable Stanley of Acklam, who married, first, in September 1793, a daughter of Sir Rowland Stanley of Hooton, in Cheshire, baronet. She died at London, 23d June 1797; secondly, at York, 24th February 1800, Miss Macdonald.

Daughter, *Catherine*, married at London, 24th June 1794, to John Webbe Weston of Sutton Place, in Surry.

Arms.—Argent, an eagle displayed, sable, beaked and membered, gules, surmounted with an escutcheon of the first, charged with a saltire of the second, and surcharged in the centre with a hedgehog, Or.

Crest.—A stag, proper, attired, argent, couchant before a holly bush, proper.

Supporters.—Two stags, proper, attired, argent.

Motto.—*Reviresco.*

Chief Seat.—Terregles, near Dumfries.

CARNEGIE, EARL OF NORTHESK.

Northesk.

I. Sir John Carnegie, brother of David, first Earl of Southesk, and son of Sir David Carnegie of Coluthie, got from his father Aithie, Cuikstoun, and other lands in Forfarshire, of which he had a charter, 1st March 1595-6. He was knighted, and charters were granted to Sir John Carnegie of Aithie, of the barony of Redcastle, 17th November 1621; of Rynd, 29th July 1624; of part of Lunan, Muirdrum, and North Tarrie, 4th April 1643, all in the county of Forfar; and of Egglismauldie and Dunlappies, in the shire of Kincardine, 17th March 1635. He was created a peer, by the title of Lord Lour, by patent, dated at York, 20th April 1639, to him and his heirs male, and advanced to the dignity of Earl of Ethie, Lord Lour, and Egglismadie, by patent, bearing date 1st November 1647, to him and his heirs male for ever. A fine of no less than L. 6000 sterling was imposed on his Lordship, by Cromwell's act of grace and pardon, 1654. After the restoration, his Lordship got his titles changed, in 1662, to Earl of Northesk and Lord Rosehill, Rosehill being an eminence on the road side, near the gate of Egglismadie, on the banks of the Northesk. He was served heir of conquest of Robert Carnegie of Dunichten, his immediate younger brother, in Caraldstoun, and other lands in Forfarshire, with the office of dempster in parliaments, justice courts, and circuit courts, of the sheriefdome of Forfar, 15th December 1658, and he died 18th January 1667, aged about 88. His Lordship married, first, Magdalen, daughter of Sir James Halyburton of Pitcur, and by her had issue,

Mag. Sig. L. xli. No. 67. L. l. No. 80, 342. L. liii. No. 47. L. lv. No. 54. L. lvi. No. 81. L. lviii. No. 82.

Inq. Ret. xxv. 190.

Lamont's Annals, MS.

1. *David*, second Earl of Northesk.

2. Hon. Sir *John* Carnegie of Boysack, who had two sons, 1. John Carnegie of Boysack, served heir male of John Carnegie of Boysack, his father, 18th January 1687; and, 2. James Carnegie of Kinnell and Brakie, who leaving children minors at his death, James Carnegie of Phinhaven, second son of David, Earl of Northesk, brother-german of Sir John Carnegie of Boysack, father of James Carnegie of Brakie, was served tutor at law as nearest agnate, that is, cousin on the father's side, of John, Margaret, Mary, and Jean Carnegies, children of the said James Carnegie of Brakie, 1st June 1694. John Carnegie of Kinnell, the eldest son, was served heir male of James Carnegie of Kinnell, (brother-german of John Carnegie of Boysack,) his father, 4th April 1695.

Inq. Ret. xl. 9.

Northesk.

Inq. Ret. xliv. 28, 339.

1. Lady *Anne*, married to Patrick, son and heir apparent of Sir Henry Wood of Bonnytoun.

2. Lady *Magdalen*, married, first, to Alexander, Master of Spynie, without issue; secondly, to John Lindsay of Edzell, and had issue.

3. Lady *Marjory*, married, first, to Sir James Scot, younger of Scotstarvet, director of the chancery; they had a charter, 1635; he died May 1650; secondly, 29th April 1652, to Sir John Preston of Airdrie, in Fife.

Lamont's Annals, MS.

4. Lady *Jean*, married to William Graham of Claverhouse, and was mother of the celebrated Viscount of Dundee.

His Lordship married, secondly, 29th April 1652, Miss Maule, without issue.

Ibid.

II. David, second Earl of Northesk, the eldest son, succeeded his father; was served heir male and of line of him, 16th April 1667, and died, 12th December 1677. He married Lady Jean Maule, eldest daughter of Patrick, first Earl of Panmure, and by her he had issue,

Inq. Ret. xxviii. 293.

1. *David*, third Earl of Northesk.

2. Hon. *James* Carnegie of Finhaven.

3. Hon. *Patrick* Carnegie of Lour.

4. Hon. *Alexander* Carnegie, who, marrying Anne, eldest daughter and heiress of Sir William Blair of Kinfauns, changed his name to Blair; after her death he married Miss Margaret Nairn, and had issue by both. Alexander Blair, alias Carnegie of Kinfauns, was served heir male of Anna Blair, wife of Alexander Carnegie, fourth

Northesk. Inq. Ret. xliv. 364.

son of David, Earl of Northesk, his mother, in the barony of Kinfauns, &c. 17th April 1695. This estate went by a heir female to Lord Gray.

5. Hon. *Robert* Carnegie, who died without issue.

1. Lady *Jean*, married to Colin, third Earl of Balcarres, and had one daughter.

2. Lady *Magdalen*, married to John Mudie of Ardbikie.

Ibid. xxiv. 257. xxvi. 187.

III. DAVID, third Earl of NORTHESK, the eldest son, succeeded his father, 1679, was served heir of him, and heir male of John, Earl of Northesk, his grandfather, 5th May 1681, and died October 1688. He married, 9th September 1669, Lady Elisabeth Lindsay, fourth daughter of John, Earl of Crawford and Lindsay, high treasurer of Scotland, and by her had issue,

1. *David*, fourth Earl of Northesk.

2. Hon. *John* Carnegie.

1. Lady *Margaret*, died unmarried.

2. Lady *Christian*, married to James, first Duke of Montrose, and had issue; and died 25th May 1744.

3. Lady *Jean*, died young.

4. Lady *Anne*, died young.

Ibid. xiii. 380.

IV. DAVID, fourth Earl of NORTHESK, the eldest son, succeeded his father 1688; was served heir of him, 26th October 1693; took the oaths and his seat in parliament, 19th July 1698; was, by Queen Anne, constituted high-sheriff of Forfarshire, and sworn a privy-councillor, 1702; was also appointed one of the commissioners of the chamberlain's court, and a lord of police. He supported the treaty of union in parliament; was chosen one of the sixteen representatives of the Scotish peerage at the general election, 1708; re-chosen 1710 and 1713; and died 1729. He married Lady Margaret Wemyss, second daughter of Margaret, Countess of Wemyss, sister of David, third Earl of Wemyss, and by her, who died at Edinburgh, 29th March 1763, had issue,

1. *David*, fifth Earl of Northesk.

2. *George*, sixth Earl of Northesk.

1. Lady *Margaret*, born 6th December 1697, married to George, Lord Balgony and Raith, eldest son of David, Earl of Leven and Melville, and had one son. Northesk.

2. Lady *Elisabeth*, married to John, fifth Lord Balmerinoch, and died without issue, 21st September 1767.

3. Lady *Anne*, married to Sir Alexander Hope of Kerse, in the county of Stirling, Bart., and died 1st February 1733, leaving one son, Sir Alexander Hope, Bart.

4. Lady *Christian*, died unmarried at Edinburgh, 1st April 1787.

5. Lady *Mary*, died unmarried at Edinburgh, 29th November 1798, æta. 86.

Edin. Reg.

V. DAVID, fifth Earl of NORTHESK, the eldest son, succeeded his father 1729; died unmarried at Ethie, 24th June 1741. His brother,

V. GEORGE, sixth Earl of NORTHESK, was an officer in the royal navy, and attained the rank of captain, 25th August 1741. He commanded the Preston of 50 guns, in the fleet under Sir John Norris, in January 1744, and sailed the same year to the East Indies in that ship, with Commodore Barnet. They fell in with and captured, in the Straits of Banca, 25th January 1745, three very valuable French East Indiamen, from Canton to Europe. He commanded the Oxford of 66 guns in 1755; was promoted to a flag in 1756; rose, by seniority, to the rank of admiral of the white; and died at Ethie, 22d January 1792, being then the third flag-officer in the service. His Lordship married, at Melville House, 30th April 1748, Lady Anne Leslie, eldest daughter of Alexander, Earl of Leven and Melville, and by her, who was born 27th February 1730, and died at Edinburgh, 8th November 1779, æta. 50, had issue,

1. *David*, Lord Rosehill, born at Edinburgh, 5th April 1749; had an ensign's commission in the 25th regiment of foot, 1765; quitted the army, 1767, and went to America. He married, in Maryland, in August 1768, Miss Margaret Cheer, and died without issue at Rouen in Normandy, 19th February 1788, æta 39.

2. *William*, seventh Earl of Northesk.

3. Hon. *James* Carnegie, born 29th February 1768, died young.

4. Hon. *George* Carnegie, born 21st

Northesk. August 1773, a lieutenant-colonel in the army, major of the 110th regiment of foot, on half pay. He married, at Edinburgh, in August 1796, Elisabeth, third daughter of John Swinton of Swinton, in Berwickshire, a lord of session, and by her had a daughter, Margaret, who died, 20th February 1810; and a son.

1. Lady *Elisabeth*, married, 16th August 1766, to James, third Earl of Hopetoun, and had issue; and, dying at London, 18th August 1793, was buried at Johnston Church.

2. Lady *Margaret*, married in 1780, to Charles Watson of Saughton, in the county of Edinburgh, and dying at Edinburgh, 15th March 1793, was buried at Corstorphine. Her husband was born 17th November 1740, and died at Sidmouth in Devonshire, 2d June 1804, æta. 64; they had five children, 1. James Watson of Saughton, born 30th August 1781, who was an officer in the 25th foot, served in Holland in the campaign 1799, when his regiment suffered severely; had a company in the 14th foot in December that year, which he exchanged for a lieutenancy in the third regiment of foot guards the same month. He was appointed to a majority in the 92d regiment of foot, 1806; served in the expedition to the Continent, 1809; and married, at Barnton, 18th January 1811, Janet, second daughter of George Ramsay of Barnton. 2. Anne, born 22d November 1782, did at Hopetoun House, 27th January 1800, æta. 18, unmarried. 3. George, born 12th April 1784, was signal midshipman on board the Venerable, Lord Duncan's flag-ship, in the victory over the Dutch fleet at Camperdown, October 1797; had the rank of lieutenant in the royal navy, 1803, and died, unmarried, at Flushing, near Falmouth, 18th June 1804, æta. 21. 4. Helen, born 12th April 1785, died, unmarried, at Clifton, 16th July 1807, æta. 23. 5. Charles Hope, born 1st November 1786; served in the battle of Trafalgar on board the Defence, 1805, and had the rank of lieutenant in the royal navy, 1806.

3. Lady *Mary Anne*, married, 2d June 1797, to John Kemp, D.D. one of the ministers of Edinburgh, and died without issue, 10th August 1798.

VI. William, seventh Earl of Northesk, the second, but eldest surviving son, was born 10th April 1758. Being early destined for the sea service, he embarked, in 1771, with the Hon. Captain Barrington in the Albion. He next served with Captain Macbride in the Southampton frigate, at the time he conveyed the Queen of Denmark to Zell. He was made acting lieutenant into the Nonsuch, and confirmed by Lord Howe in 1777 into the Apollo, on the American station. He afterwards served under Sir John Lockhart Ross, in the Royal George, at the capture of the Caracca ships off Cape Finisterre, of the Spanish squadron under Don Juan de Langara, and at the relief of Gibraltar; then in the West Indies with Lord Rodney, who promoted him from the flag-ship, after the action of the 18th April 1780, to be commander of the Blast fire-ship. He was advanced to the rank of post captain, 7th April 1782, and was appointed to the command of the St Eustatius of 20 guns, in which he was present at the reduction of the island of that name. From this ship he was removed into the Enterprize frigate, in which he returned to England, and was paid off at the peace 1783. On the death of his elder brother, 1788, he had the stile of Lord Rosehill, and in 1790, on the Russian armament, was appointed to the command of the *Heroine*. On the demise of his father, 1792, his Lordship succeeded to the titles and family estate. In January 1793, he sailed to the West Indies in the Beaulieu, and returned from thence with convoy in the Andromeda. In 1796, his Lordship was appointed to the command of the Monmouth of 64 guns, and when the mutiny at the Nore broke out in 1797, the mutineers, on the 6th of June, requested his Lordship (as an officer of whose humanity and general estimation in the service, as a friend to the seamen, they expressed the highest sense) to lay before the King the terms upon which they would deliver up the ships they had taken possession of. These terms were rejected, and the mutiny was soon after quelled. In 1800, his Lordship was appointed to the command of the Prince of 98 guns, in the Channel fleet with the Earl of St Vincent, and continued therein till the peace 1802. Northesk.

Northesk.

On the renewal of hostilities, 1803, the Earl of Northesk was immediately appointed to the command of the Britannia of 100 guns; in her he served in the Channel fleet, under the Hon. Admiral Cornwallis, till May 1804, when he was promoted to the rank of rear-admiral of the white. He hoisted his flag on board the same ship, and continued to serve on her former station, the arduous blockade off Brest, during the very severe winter, 1804; and, in the following year, was detached with a squadron to reinforce Admiral Collingwood off Cadiz. In the glorious and decisive battle off Cape Trafalgar, 21st October 1805, his Lordship had the high distinction of being third in command under the immortal Nelson. The Britannia, which still bore his flag, broke through the enemy's line astern of their fourteenth ship, pouring in on each side a most tremendous and destructive fire, and continued engaging, frequently on both sides, and with two or three at a time, with very little intermission, for five hours, when all resistance ceased. As a testimony of his Sovereign's approbation, his Lordship had the most honourable order of the Bath conferred on him in January 1806, and was invested therewith, on his return to England, at the Queen's palace, 5th June 1806. Both Houses of Parliament, the Corporation of London, and several other cities and public companies concurred in giving him their thanks. The Corporation of London also voted him a sword, and the patriotic fund at Lloyd's a vase. In further testimony of his Majesty's satisfaction, he was pleased, 2d August 1806, in consideration of the distinguished services of William, Earl of Northesk, on various important occasions, and more particularly in the recent glorious and decisive victory off Cape Trafalgar, to grant to him his royal licence and authority to bear certain honourable augmentations in his armorial ensigns; and his Majesty has been further pleased to grant to the said Earl certain honourable augmentations to the antient supporters of the earldom of Northesk, in allusion to the said memorable victory, the augmentation to the armorial ensigns to be borne by the descendants of the said Earl, and the augmentation to his supporters to be borne by his successors in the said earldom. His Lordship was chosen one of the sixteen representatives of the Scotish peerage at the general election, 1796, and re-chosen 1802 and 1806; is governor of the British Linen Company, and ranks as vice-admiral from 1808.

Northesk.

His Lordship married, at Paris, January 1789, Mary, only daughter of William Ricketts of Longwood in Hampshire, by Mary Jervis, eldest sister of John, Earl of St Vincent*; they have had eight children,

1. *George*, Lord Rosehill, born 3d November 1791, respecting whom the following article appeared in the Globe, 10th February 1808. The late arrivals from the East Indies have deprived of every hope the mournful relations and friends of those who perished in the Blenheim in February 1807. Among the youths of distinction who shared the fate of its gallant commander, none of fairer promise to his country ever fell than Lord Rosehill, in the 16th year of his age. The genius and talents of this young nobleman were such as made every one who knew him pronounce him an ornament to his profession, and his education and diligence afforded a no less sanguine hope of his taking a distinguished lead in the civil as well as naval operations of his country. His parents and relatives have to deplore a loss that can never be replaced, his country to lament a youth that might have adorned the proudest annals of her fame, and stood forth as one of the strongest pillars of her defence. This incomparable youth was early grounded in the best principles by his excellent mother. He was first placed at Twyford school, and his education was continued at Winchester college, where his application, and the rapid progress he made in every branch of learning, with his frank ingenuous temper and manners, will be long remembered with admiration and esteem in that distinguished seminary.

* John, Earl of St Vincent, was, 21st April 1801, created Viscount St Vincent of Meaford, in Staffordshire, with remainder successively to William Henry Ricketts, captain in the royal navy, and the heirs male of his body; to Edward Jervis Ricketts, barrister at law, and the heirs male of his body; to Mary, Countess of Northesk, and the heirs male of her body; all three children of his sister Mary.

Northesk.

2. *William Hopetoun*, Lord Rosehill, born 16th October 1794.

3. Hon. —— Carnegie, died 1799.

4. Hon. *John Lewis* Carnegie, born 8th July 1807.

1. Lady *Mary*, born 3d October 1789, married, at George's, Hanover Square, 12th February 1810, to Walter Long of Preshaw, in Hampshire.

2. Lady *Anne Letitia*, born 10th July 1793.

3. Lady *Elisabeth Margaret*, born 13th May 1797.

4. Lady *Jane Christian*, born 14th November 1800.

Titles.—William Carnegie, Earl of Northesk, Lord Rosehill, K. B.

Creations.—Lord Lour, by patent dated at York, 20th April 1639, to the first Lord and his heirs male for ever. Earl of Ethie, Lord Lour and Inglismaldie, 1st November 1647, to the first Earl and his heirs male for ever, changed to Earl of Northesk and Lord Rosehill, 1662, with the former precedency. Northesk.

Arms.—Or, an eagle displayed, azure, a medal suspended from its neck, and in chief the word Trafalgar.

Crest.—1st, The hull of a ship in flames. 2d, A demi-leopard, proper, issuing out of a naval crown.

Supporters.—Two leopards, proper, each having a medal suspended from its neck, and embracing and bearing up a staff with a flag displayed, argent, charged with a cross, gules, inscribed *Britannia victrix*.

Motto.—*Tache sans tache.*

Chief Seats.—Ethie House, in the county of Forfar; Rosehill, in Hampshire.

STEWART, LORD OCHILTREE.

Ochiltree.

The descent of this family has already been detailed under the title of Lord Avandale.

IV. Andrew, third Lord Avandale, having made an excambion of the lordship of Avandale, with Sir James Hamilton of Finnart, for the barony of Ochiltree, in Ayrshire, was ordained to be called Lord Stewart of Ochiltree in time to come, by act of parliament, 15th March 1542-3. Andrew, Lord Uthiltre, assented to the treaty of marriage betwixt Queen Mary and Prince Edward, 25th August 1543, and he died 1548. He married Lady Margaret Hamilton, only child of James, first Earl of Arran, by Beatrix Drummond, his first wife, by whom he had a son,

Fœdera, XV. 4.

V. Andrew, second Lord Ochiltree, had charters to him and Agnes Cunningham, his wife, of the lands of Pennymore, &c. in Ayrshire, 27th October 1549, and of the lands of Barlochehill, 31st January 1556-7. He was commonly called the good Lord Ochiltree, and was a happy instrument in the reformation from popery, when the light of the gospel began to shine in the western counties. He had a charter to himself and Captain James Stewart, his son, of the lordship of Bothwellmuir, Gartness, Dunsyston, &c. in Lanarkshire, 18th March 1579-80, and 24th August 1580. He married Agnes, daughter of John Cunningham of Caprington, by whom he had issue. Ochiltree.

Mag. Sig. L. xxx. No. 430. L. xxxi. No. 363. Crawf. Peer. 378.

Mag. Sig. L. xxxv. No. 159, 244.

1. *Andrew*, Master of Ochiltree.

2. Captain *James* Stewart of Bothwellmuir, created Earl of Arran, and constituted high-chancellor of Scotland, as mentioned under the title Arran.

Ochiltree. Mag. Sig. L. xxxvii. No. 127. Birrel's Diary, 24.

3. Sir *William* Stewart of Monkton, who had a charter of the barony of Carstairs, in Lanarkshire, 1st November 1587; he was killed in the Blackfriars Wynd, Edinburgh, 30th July 1588, by Francis, Earl of Bothwell.

Mag. Sig. L. xxxv. No. 305, 392, 583.

4. Sir *Henry* Stewart, who had charters of the fourth part of the town of Nether Gogar, in the shire of Edinburgh, 6th June 1581; of the barony of Braidwood, in Lanarkshire, 15th November 1581, and of Barbowie and Dunreggan, in Dumfriesshire, 7th December 1581, wherein he is designed brother of the Earl of Arran. Of him there is no succession.

5. *Robert* Stewart of Wester Braco, who had no issue.

1. *Isabel*, married to Thomas Kennedy of Bargeny.

2. *Margaret*, the second wife of John Knox the reformer, by whom she had three daughters; she married, secondly, Sir Andrew Ker of Faudonside.

VI. ANDREW, Master of OCHILTREE, the eldest son, was dead before 10th September 1578, when a charter passed the great seal to the deceased Andrew Stewart, Master of Ochiltree, of the lands of Portcarrick, Whitehills, &c. in the county of Wigton. He married, first, Margaret Stewart, daughter of Henry, Lord Methven; secondly, Margaret Keith, and had issue,

L. xxxi. No. 43.

1. *Andrew*, third Lord Ochiltree.

2. *Josias* Stewart of Bonnytoun, who died without issue.

1. *Anne*, married to Andrew, first Lord Jedburgh.

2. *Margaret*, married to John Stewart of Traquair.

Lyoust.

3. *Marjory*, married to Sir Roger Aston, gentleman of the bed-chamber to James VI., and was buried at Cranford, 22d March 1603-4.

4. *Martha*, married to Nicol Rutherford of Hundeley.

5. *Mary*, married to Sir George Crawford of Lifnorris.

6. *Isabel*, married to Gilbert Kenedy of Bargeny.

Mag. Sig. L. xxvii. No. 209.

VII. ANDREW, third Lord OCHILTREE, had charters to "Andrew, Master of Ochil-" tree," and Margaret Kennedy, his wife, of the lands of Bagoshiels, 16th March 1591-2, and of the barony of Earlstoun, in the stewartry of Kirkcudbright, 2d August 1593; and to "Andrew, Lord Ochil-" tree," and Margaret Kennedy, his wife, of the ecclesiastical lands and patronage of the parish of Ochiltree, 21st March 1601-2. He was a gentleman of the bed-chamber to King James VI., general of the ordnance, and governor of the castle of Edinburgh. He sold the lordship of Ochiltree to his cousin, Sir James Stewart of Killeith, son of James, Earl of Arran, and resigned his title in his favour in 1615.

Ochiltree. Mag. Sig. L. xxxviii. No. 230. L. xiii. No. 19.

Andrew Stewart, formerly Lord Ochiltree, was created a peer of Ireland, by the title of Lord Stewart, Baron of Castlestewart, in the county of Tyrone, by patent dated 7th November 1619, and died in 1632. He married Margaret, daughter of Sir John Kennedy of Blairquhan, by whom he had three sons,

Archdall, VI. 242.

1. *Andrew*, who was created a baronet in the lifetime of his father, on being invested with his estates in the county of Tyrone. He was a firm patron of all Scotsmen in Ireland, especially of the nonconforming ministers who left Scotland on account of the proceedings of the General Assembly at Perth. Succeeding his father in 1632, he took his seat in the House of Peers, 14th July 1634, and died in 1639, leaving, by his wife Lady Anne Stewart, fourth daughter of John, fifth Earl of Atholl, five children: 1. Andrew, third Lord Castlestewart, who was served heir of his grandfather, Andrew, Lord Ochiltree, in the lands of Crugilltown Castle, in the county of Wigton, 21st November 1648, and died in 1650, having had, by his wife Joyce, sole heiress of Sir Arthur Blundell of Blundellstown, in the King's county, an only child, Mary, married to Henry, Earl of Suffolk. 2. Robert, who died young. 3. Josias, fourth Lord Castlestewart, who died without issue at Dublin, 2d December 1662. 1. Elisabeth. 2. Margaret, died young.

Inq. Ret. xix. 365.

2. *John*, fifth Lord Castlestewart, who succeeded his nephew in 1662, and died, unmarried, after 1678.

3. Hon. *Robert* Stewart.

VIII. The Hon. Colonel ROBERT STEW-

Ochiltree.

ART of Irry, in the county of Tyrone, the third son, died in September 1662, leaving, by his wife Jane, daughter of James Richardson of Castlehill, in the same county, five sons, Robert, William, George, Henry, and James.

IX. ROBERT STEWART of Irry, the eldest son, died in 1684, having married Anne, daughter of William Moore of Garvey, in the county of Tyrone, by whom he had a daughter, Catherine, married to Sir Alexander Bruce, baronet, and a son,

X. ANDREW STEWART of Irry, who married Elinor, daughter of Robert Dalway of Bellahill, in the county of Antrim, and had four sons,

1. *Robert*.

2. *Dalway*, died without issue.

3. *Alexander*, who was twice married; by his second wife Mary, daughter of Hugh Kennedy of Cultraw, in the county of Doun, he had an only son, John, who married Anne, daughter of John Agnew of the county of Antrim, and had one son, Alexander.

4. *James*, died without issue.

XI. ROBERT STEWART, the eldest son, died in 1742, leaving by Margaret his wife, daughter of Thomas Edwards of Castlegore, in county of Tyrone, a son,

XII. ANDREW THOMAS STEWART of Stewart-hall, in the county of Tyrone, who, at the election of a representative peer of Scotland, 26th October 1768, appeared and answered to the title of Lord Ochiltree; but the clerks refusing to receive his vote till his claim was determined in course of law, he took a protest against them. In 1774, he presented to the lord-lieutenant of Ireland a petition, claiming the title of Lord Stewart, Baron of Castlestewart, which had been dormant since 1684; and this petition being, by his Majesty's command, referred to the House of Lords in Ireland, they resolved, 24th May 1774, that the petitioner had fully proved his right to the same; and he took his seat in parliament accordingly. He voted as Lord Ochiltree at the election of representative peers of Scotland, 24th July 1790. When the merits of that election were brought before the House of Lords, it was determined, in a committee of privileges, 16th April 1793, that Lord Castlestewart, claiming the title of Lord Ochiltree, and who voted as such, had not made out his right. He was created Viscount of Castlestewart, 20th December 1793; advanced to the dignity of Earl of Castlestewart, 29th December 1800, and died at Stewart-hall, in the county of Tyrone, 20th August 1809. He married, 25th July 1781, Sarah, one of the coheiresses of Godfrey Lill, a judge of the Court of Common Pleas in Ireland, by whom he had issue,

Robertson's Proceedings, 343.

Ochiltree.

1. *Robert*, second Earl of Castlestewart.

2. Hon. *Andrew* Stewart, born 8th December 1790.

1. Lady *Caroline*, born 23d August 1783.

2. Lady *Harriet*, born 30th December 1785, deceased.

3. Lady *Sarah*, born 31st March 1787.

4. Lady *Anne*, born 12th December 1788, deceased.

XIII. ROBERT, second Earl of CASTLESTEWART, the eldest son, born 19th August 1784, married, 23d April 1806, Jamima, daughter of Colonel Robinson of the artillery, and has one son, *Edward*, Viscount Stewart, born 11th September 1807.

ARMS.—Quarterly: 1. Or, a lion rampant, within a double tressure, flowered and counter-flowered, gules. 2. Or, a fess cheque, argent, and azure, in chief a label of three points, gules. 3. Argent, a saltire between four cinquefoils, gules. 4. Azure, a lion rampant, argent, crowned, Or. All within a bordure, compone, argent, and azure.

CREST.—An unicorn's head, couped at the neck, argent, armed and crowned, Or, between two pair of olive branches, proper.

SUPPORTERS.—Two dragons, vert.

MOTTO.—*Forward.*

CHIEF SEAT.—Stewart-hall, in the county of Tyrone.

STEWART, LORD OCHILTREE.

Ochiltree.

I. SIR JAMES STEWART of Killeith, who purchased the honours of Ochiltree, was eldest son of Captain James Stewart of Bothwellmuir, some time Earl of Arran, and chancellor of Scotland, (see Vol. I. p. 121,) second son of Andrew, second Lord Ochiltree. Charters were granted to James Stewart, son of the late James Stewart, formerly chancellor of Scotland, of the barony of Carswall and Garthland, &c. in the shire of Wigton, 13th September 1611, and to Sir James Stewart of Killeith, of the lordship of Abernethy in Rothemay, in the counties of Banff, Edinburgh, Forfar, and Haddington, 30th July 1613. Having acquired the lordship of Ochiltree, he had a charter dated 9th June 1615, Domino Jacobo Stewart de Killeith, omnes et singulas terras dominium et baroniam de Ochiltree, per omnia unit. et annexat. in unum integrum et liberum dominium et baroniam, cum omnibus honoribus, titulis, dignitatibus, stilis, prærogativis, immunitatibus, privilegiis et aliis libertatibus, ad idem spectantibus, &c. quæ quidem terræ, dominium, baronia, honores, tituli, dignitates, &c. ad Andream, Dominum de Ochiltree, perprius hereditarie pertinuerunt, quas etiam et quæ ipse Andreas, Dominus Ochiltree, Andreas, Magister de Ochiltree, ejus filius legitimus natu maximus, et Georgius Crawford feoditarius de Lesword, cum consensu Dominæ Margaretæ Keith, matris præfatæ Domini, Dominæ Margaretæ Kennedy, ejus sponsæ, et Dominæ Annæ Stewart, sponsæ dicti Andreæ Magistri de Ochiltree, &c. resignaverunt, &c. in favorem præfati Domini Jacobi Stewart de Killeith, et pro hoc nostro novo infeofamento sub magno sigillo sibi, et etiam suis hæredibus masculis gerend. nomen et arma de Stewart ex familia de Ochiltree, per nos desuper dand. et concedend. Insuper nos, &c. de novo damus dicto Domino Jacobo Stewart, dictisque suis hæredibus masculis, gerend. et arma de Stewart, et ejusdem arma observan. ex familia de Ochiltree, omnes et singulas prænominatas terras, dominium et baroniam de Ochiltree, suprascript. per omnia unit. annexat. et incorporat. in unum integrum et liberum dominium et baroniam, cum omnibus honoribus, titulis, dignitatibus, &c. ad dictum dominium spectan. &c. James, Lord Ochiltree had a charter of the lands of Clauch and Kirkowan, in the county of Wigton, 6th April 1616. The hereditary enmity of the family against the house of Hamilton, induced Lord Ochiltree, in 1631, to prefer a charge against the Marquis of Hamilton, as intending to employ the troops raised by him for the service of Gustavus Adolphus, King of Sweden, to seize upon the throne of Scotland for himself. His Lordship having failed in his proof, was tried for leasing-making, and being found guilty, he was sentenced to be imprisoned for life in Blackness Castle. He remained there till 1632, when he was released by the English after the battle of Worcester, and died in 1659. He married, first, Margaret, daughter of Uchtred Macdowall of Garthland, by whom he had a son, who died before him, leaving a son, WILLIAM, Lord OCHILTREE, a very hopeful young nobleman, who died at the University of Edinburgh, much regretted, 12th February 1675, in his sixteenth year, unmarried. James, Lord Ochiltree, married, secondly, Mary Livingston, by whom he had Anna, born 10th April 1652; Robert, and Rachel, twins, born 13th January 1656; and Catherine, who, on the 19th of June 1696, was served heir of George Livingston of Gairdoch, son of William Livingston, brother of Mary Livingston, her mother.

Ochiltree.

Mag. Sig. L. xlvi. No. 275. L. xlvii. No. 120, 470. L. xlviii. No. 166, 167.

Crawf. Peer. 375.

Registers of Carridden and Edinburgh.

Inq. Ret. xiv. 792.

OLIPHANT, LORD OLIPHANT.

Oliphant.

THE first of this antient family on record is,

Dalr. Ann. I. 96.

I. DAVID OLIFARD, who served in the army of King Stephen against the Empress Maud in 1141. A conspiracy was formed against her; she escaped from Winchester, attended by King David I. Surrounded by the enemy, David was rescued by Olifard, although in the adverse party, on account of the King having been his godfather. Olifard concealed him so dexterously, as to elude a strict search, and conveyed him in safety to Scotland. David gave to the companion of his journey the lands of Crailing and Smallham, in Roxburghshire; and he had the honour of being the first justiciary of Scotland of whom any record appears. In this important character he acted during the year 1165, and he continued to act as justiciary for several years under William I. He witnessed several charters of David I., particularly one to the priory of Coldingham, to which is appended his seal, being three crescents, still the cognizance of the Oliphants. David de Olifard, in 1153, granted to the monks of Dryburgh a carucate of land in Smallham, with the pasturage of 300 sheep, for the remission of his sins, and for the welfare of the souls of those who gave him these lands, confirmed by Malcolm IV. He also gave to the monks of Jedworth the tenth of the multures of the mill of Crailing, confirmed by William I.; and he gave to the house of Soltray a thrave of corn from each ploughland in his manors of Crailing and Smallham. He left, as is said, five sons,

Caledonia, I. 515.

Crawf. Peer. 376.

1. *David.*

2. *William* Olifard, who, with his brother David, witnessed several charters to the monastery of Coldingham between 1180 and 1190.

Chartul. Coldingh. D.

3. *Walter* Olifard, who was one of the hostages for King William I. on his release from captivity, 1174. He witnessed the foundation charter of the abbey of Lindores by David, Earl of Huntingdon, 1178, and also witnessed, with his brother David, several donations to the monastery of Dunfermline.

Fœdera, I. 39.

Chartul. Newbottle and Dunfermline. D.

4. *Philip* Olifard, who, with his brother David, witnessed a donation of William I. to the monastery of Dunfermline, in or before 1189.

Chartul. Newbottle and Dunfermline. D.

5. *Fulco* Olifard, who witnessed a charter of Alan, son of Walter, high-steward of Scotland, along with Joceline, Bishop of Glasgow, who died 1199, to the monastery of Paisley *.

Chartul. Paisley. D.

II. DAVID OLIFARD, the eldest son, succeeded his father in his estates and office of justiciary of Lothean. He died towards the end of the twelfth century, leaving two sons,

Chartul. Glasgow, Scone, Dunfermline. D.

1. Sir *Walter.*

2. *David* Olifard, who witnessed a charter of King Alexander II. to the Abbot of Kelso, being designed brother of Walter Olifard, justiciary of Lothian, in 1234. He married Joanna, heiress of Calder, in Lanarkshire.

Chartul. Kelso. D. Caledonia, I. 516.

III. Sir WALTER OLIFARD, the eldest son, inherited the estates of his father, and acted with applause as justiciary of Lothian for more than twenty years under Alexander II. No person in Scotland during that age was more trusted in public councils and private affairs, or was more worthy of trust than Walter Olifard. He was one of the most frequent witnesses of the charters of Alexander II. He granted the church of Smallham, with its pertinents, to the monks of Coldingham; and he confirmed a grant, by Claribald de Olifard of Esseby, to the same monks, of two fishings on Tweed. He was one of the sureties on the part of Alexander II. for the fulfilment of the

Chartul. Scone, Kelso. D.

Fœdera, I. 241, 252, 277

* A branch of the Olifards settled in Kincardineshire under David I. Osbert Olifard was sheriff of Mearns under Malcolm IV. His only daughter married Hugo de Aberbothenoth, ancestor of the Viscount of Arbuthnott. Caledonia, I. 516.

Oliphant.

Oliphant.

conditions of his marriage contract with Joan of England, 15th June 1220. Walter Olifard, Justic. Laodon. witnessed the marriage of Alexander II. at York, 18th June 1221. Walter Olifard was one of the guarantees of the treaty betwixt Alexander II. and Henry III., 1237. He married, in 1200, Christian, daughter of the Earl of Strathern, with whom he got the lands of Strageath, which, in 1220, he exchanged for other lands in Perthshire, with his brother-in-law the Earl of Strathern. Dying in 1242, he was honourably buried in the choir of the Abbey of Melrose, leaving a son,

Strathallan's History of the Drummonds. D.

Chron. Melrose. D.

IV. Walter Olifard, who was also justiciary of Lothian, as in the chartulary of Glasgow is a charter of Walter Olifard, junior, justiciary of Lothian, witnessed by David Olifard, Robert de Park, Robert de Malevyn, militibus nostris, David, clerico nostro, Osbert Magnus, Osbert Scotus, Walter Pistor, servientibus nostris. He renounced any right he possessed through his mother to the church of Strageath, in favour of Gilbert, Earl of Strathern, who had made over the patronage thereof to the monks of Inchaffray. The lands of Kallantyr, &c. in Stirlingshire, is mentioned in a convention betwixt the monasteries of Holyroodhouse and Newbottle, 1245, as holding in feu-farm of Walter de Olifard and David Cumyn. He had three sons,

Caledonia, I. 516.

Crawf. Peer. 377.

Chartul. Newbottle. D.

1. Sir *William*.
2. *Hugh*;—and,
3. *Walter*, both mentioned in Rymer's Fœdera, among those who surrendered in Stirling Castle, 1304.

Fœdera, II. 951.

Ibid. II. 791.

V. Sir William Oliphant of Aberdalgy, the eldest son, submitted to King Edward I. in 1297. He commanded the castle of Stirling, the only fortress that remained in the hands of the Scots, 1303. Edward laid siege to it in 1304; every engine known in these days was employed in the attack. The King, though far advanced in years, exposed his person with the fire and temerity of a young soldier. The defence was obstinate and bloody. All the works were ruined, many breaches made, the ditch filled up, and the castle reduced to a heap of rubbish. The siege was begun 22d April; in July Sir William Oliphant sought to capitulate; the King would listen to no terms, and the garrison was obliged to surrender at discretion, 20th July 1304. A tedious pageant of submission having been exhibited, with all the circumstances of refined ignominy, Edward pronounced sentence, Let them not be chained. Sir William Oliphant was carried to London, and set at liberty by Edward II., 24th May 1308, on finding sureties for his fidelity to England. Sir William Oliphant of Aberdalgy, got from King Robert I. a charter of this tenor, sciatis nos dedisse, &c. Willielmo Olifaunt, militi, dilecto et fideli nostro, totam terram nostram de Morhus, (Muirhouse) cum pertinen. infra vicecomitatem de Edinburgh, in escambium pro quadam pecia terræ quam Joannes de Balliolo cepit infra clausuram parci de Kyncardin in le Merenis, et quam terram dicto parco volumus remanere. He had also charters of the lands of Uchtertyre, from the same monarch, of Gaskenes, in Perthshire, which belonged to John Cuming, and of Newtyle, Kilspindie, and others, in Perthshire, in 1318. He signed the letter to the Pope asserting the independency of Scotland, 1320. King Robert I. confirmed, 20th April 1323, a contract entered into betwixt Niel of Carrick, and William Oliphant, knights, of the lands of Easter and Wester Craigs, now called Kilry, in Forfarshire*. Sir William Oliphant dying at Aberdalgy, 5th February 1329, was interred in the parish church of that place, under a monument of black marble, with his effigy in armour, in full proportion, thus inscribed: Hic jacet Dominus Willielmus de Oliphant, Dominus de Aberdalgy, qui obiit 5. Feb. 1329. Orate, &c. His son,

Oliphant.

Fœdera, II. 951.

Fordun, II. 224.

Dalr. Ann. II. 42. Fœdera, III. 82.

Reg. Mag. Sig. 12.

Robertson's Index, 18, 26.

Writs of the Family. D. Fordun, II. 273.

Penes Kinloch de Kilrie. D.

Crawf. Peer. 377.

Stat. Acc. XVIII. 156.

VI. Sir Walter Oliphant of Aberdalgy, married Elisabeth, youngest daughter of King Robert I., as appears from a charter of King David II., Waltero Olyfant, dilecto et fideli suo, pro bono servitio nobis impenso, et Elisabethæ, sponsæ suæ

Crawf. Peer. 378.

* Concordia inter Thomam Randulphum, Comitem Moraviæ et Dominum Willielmum Olyfaut, super terris Willielmi de Montealto, et ejus forisfactura in parliamento tento apud sanctum crucem, 8 Martii 1326. Robertson's Index, 28.

Oliphant.

dilectæ sorori nostræ, erecting the lands of Gask into a free barony, with the privilege of fishing in the water of Earn three days of the week in forbidden time, dated 11th January 1364. There is also a charter from the same monarch to Walter Oliphant, of the barony of Kelly in Fife, by resignation of Helen Maxwell, daughter and heir of Richard Seward, knight. His son,

Robertson's Index, 51.

VII. WALTER OLIPHANT of Aberdalgy, had a charter, on his father's resignation, of the lands of Kelly, Pickerie, &c. from King Robert II. in 1378. He married Mary, daughter of Sir Robert Erskine of Erskine, and had two sons,

In Arch. Fam. de Gask. D.

1. Sir *John*.
2. *Malcolm* Oliphant of Haslesside, in Ayrshire.

VIII. Sir JOHN OLIPHANT of Aberdalgy, the eldest son, was knighted by King Robert II., and, upon his own resignation, obtained from that prince, in 1388, a charter of all the lands he possessed in Scotland, holding of the crown. He died about 1420, having married, first, a daughter of Sir William Borthwick of Borthwick, by whom he a son,

Crawf. Peer. 378.

Sir *William*.

Secondly, a daughter of Sir Thomas Home of Home, by whom he had another son,

Thomas, ancestor of the Oliphants of Kelly in Fife.

IX. Sir WILLIAM OLIPHANT of Aberdalgy, the eldest son, had a safe conduct to go into England to meet King James I., 13th February 1423, and was delivered up as one of the hostages for his ransom, 28th March 1424. He married Isabel, daughter of John Stewart of Innermeath, Lord of Lorn, by whom he had a daughter, *Isabel*, married to Sir James Scrimgeour of Dudhope [qu.?]; and a son,

Fœdera, X. 300, 328.

Carta penes Com. de Lauderdale. D.

X. Sir JOHN OLIPHANT of Aberdalgy, designed in a charter under the great seal, 1444, Dominus Joannes Oliphant, Dominus de Aberdalgy. He took the part of the Ogilvys in their feud with the Lindsays, and was slain in the encounter betwixt these parties at Arbroath, 25th January 1445-6, when the Earl of Crawford also fell. He married Isabel, daughter of Walter Ogilvy of Auchterhouse, and by her had issue,

Carta in Pub. Arch. D.

Crawf. Peer. 378.

Oliphant.

1. Sir *Laurence*.

2. *James*, who had a charter to James Oliphant, brother-german of Laurence, Lord Oliphant, of the lands of Ardchille, in the barony of Methven, in Perthshire, 17th July 1471.

Mag. Sig. L. vii. No. 301.

1. *Margaret*, married to William Wardlaw of Torrie in Fife.

2. *Isabel*, married to Alexander Blair of Balthyock, in Perthshire.

XI. Sir LAURENCE OLIPHANT of Aberdalgy, the eldest son, in his youth went over to France in company with the Earl of Douglas and other noblemen, to learn the art of war, and afterwards travelled to Italy and other countries. He was created a lord of parliament, probably by King James II., as, according to Sir James Balfour, he witnessed a charter of 30th October 1458. He was certainly a peer 14th October 1467, sitting in parliament under the title of Lord Olifant that day. He had a charter of the barony of Owris, in the shire of Kincardine, from his grandfather Walter Ogilvy, Laurentio, Domino Oliphant, nepoti suo, 6th November 1468; was a privy-councillor, and had the office of sheriff of Perthshire, 1470. Laurentius, Dominus Olifant, was one of the ambassadors to treat with the English, to whom a safe conduct was granted, 6th August 1484; and was one of the guarantees of a truce with them, 20th September following, when it was agreed that James, Duke of Rothsay, the heir apparent of the Scotish throne, should marry Anne de la Pole, niece of Richard III.; but the death of the English monarch put an end to the agreement. He sat in the first parliament of King James IV., 6th October 1488, when he was chosen one of the lords of the articles for the barons; was sworn a privy-councillor; constituted justiciary within his own bounds and that of Strathbrand in 1490; was a commissioner to treat with the English in 1491, when a truce for five years was concluded, of which he was one of the guarantees. Crawford gives a long

Carmichael's Tracts, 24.

Rec. Parl. 149.

Mag. Sig. L. vii. No. 1.

Fœdera, XI. 230, 241.

Rec. Parl. 330.

Fœdera, XI. 446.

Oliphant.

list of the persons who were retained to serve him, both in peace and war, during their respective lives, extracted from the indentures in the custody of Oliphant of Gask, which manifests the power and consequence his Lordship possessed. Lord Oliphant was one of the lords chosen by the King to the session, 14th October 1495; and he died about 1500, leaving, by his wife, Lady Isabel Hay, youngest daughter of William, first Earl of Errol, three sons,

Crawf. Peer. 279.

Rec. Parl. 436.

1. *John*, second Lord Oliphant.

2. *William* Oliphant, who married Christian, only child of Alexander Sutherland, younger of Duffus, with whom he got the lands of Berriedale and Strabrock. They had a charter of part of Strabrock, 21st October 1489; and a charter was granted to George Oliphant, son and heir apparent of William Oliphant and Christian Sutherland, Lady of Duffus, his wife, and the heirs male of George; which failing, to Charles his brother; of the lands of Duffus, in the shire of Elgin; Beredaill and Aldwick, in Caithness; and Strabock, in the county of Edinburgh, 12th August 1497. From them descended the Oliphants of Gask, now esteemed the male representatives of this antient family. Laurence Oliphant of Gask was included in the act of attainder, 1746; he married the Honouable Amelia Nairn, second daughter of Lord William Murray, Lord Nairn, and niece of the first Duke of Atholl. Their son, Laurence Oliphant, younger of Gask, was also included in the act of attainder, 1746.

Mag. Sig. L. xii. No. 101. L. xiii. No. 244.

3. *George* Oliphant of Balmactorn.

XII. JOHN, second Lord OLIPHANT, the eldest son, occurs as defender in a civil suit, 23d January 1488-9, under the designation of John Olyphant, son and heir apparent to L. Lord Olyphant. He succeeded his father, and sat in parliament as Lord Oliphant, 13th March 1503-4. John, Lord Oliphant, was one of the peers who, in parliament, ratified the settlements on Margaret, Queen of James IV., 13th May 1504. He had charters to John, Lord Oliphant, of Binzean, Dunberny, Petcaitly, 5th March 1505-6; of part of Petcathly, 17th February 1511-2, and of the same lands, to himself and Elisabeth Campbell,

Rec. Parl. 353, 489.

Fœdera, XIII. 93.

Mag. Sig. L. xiv. No. 202. L. xviii. No. 49. L. xix. No. 13.

his wife, 5th November 1513; and he died in 1516. He married Lady Elisabeth Campbell, third daughter of Colin, first Earl of Argyll, by whom he had two sons,

Oliphant.

1. *Colin*, Master of Oliphant.

2. *Laurence*, abbot of Inchaffray, who was killed at Flodden, 9th September 1513.

XIII. COLIN, Master of OLIPHANT, the eldest son, had a charter to Colin Oliphant, son and heir apparent of John, Lord Oliphant, and Elisabeth Keith his wife, of the lands of Galloraw in Forfarshire, part of the barony of Aberdalgy, 1st March 1504-5. He fell at the battle of Flodden, 9th September 1513, leaving by his wife, Lady Elisabeth Keith, second daughter of William, third Earl Marischal, who took to her second husband William, second Lord Sinclair, a son,

Mag. Sig. L. xiv. No. 77.

XIV. LAURENCE, third Lord OLIPHANT, who succeeded his grandfather, 1516, had charters of Dunberny, Petcathly, and Bynzean, to Laurence, Lord Oliphant, and Margaret Sandilands his wife, 25th May 1526; and of Berrydale and Aldwick, in Caithness, and Strabrock, in the county of Linlithgow, from Andrew Oliphant of Berrydale, 30th March 1526. He was taken at the rout of Solway by Dacre and Musgrave, in November 1542, when his annual revenue was estimated at 100 marks sterling. He was allowed to be ransomed for 800 marks sterling, 1st July 1543; refused to enter himself prisoner in England, when required so to do in August that year; and died 26th March 1566. He married Margaret, eldest daughter of James Sandilands of Cruvie, and had issue,

L. xxi. No. 118. L. xxiii. No. 24.

Sadler, I. 268.

Fœdera, XIV. 797.

1. *Laurence*, fourth Lord Oliphant.

2. *Peter* Oliphant, who got from his father the lands of Turing and Drumie, part of the lands given by King Robert I., nomine dotis, with his daughter, Lady Elisabeth, to Walter Oliphant. He was ancestor of the Oliphants of Langton. In the great seal register is a remission, dated 5th May 1526, to Patrick Oliphant of Turingis, William Oliphant of Newtoun, and William Oliphant, brother-german of Laurence, Lord Oliphant, for being art

Carta penes Kinloch de Kilrie. D.

Mag. Sig. L. xxxiv. No. 382.

Oliphant.

and part in the cruel slaughter of James Ross, son of the deceased Thomas Ross in Magdalens, committed in September 1571. This remission does not say that Patrick Oliphant of Turingis was brother of Lord Oliphant.

3. *William*, mentioned in the above remission.

1. *Catherine*, married, first, to Sir Alexander Oliphant of Kelly; secondly, to George Dundas of Dundas, and had issue.

2. *Margaret*, married, first, to William Moray of Abercairny; secondly, to James Clephane of Carslogie, and had issue.

3. *Jean*, married to William Moncrieff of Moncrieff, and had issue.

4. *Lilias*, married to Robert Lundie of Balgony.

XV. LAURENCE, fourth Lord OLIPHANT, the eldest son, had a charter to Laurence Oliphant, son and heir apparent of Laurence, Lord Oliphant, of Berrydale and other lands in Caithness, 28th January 1552-3. He was served heir of his father in September 1566; joined the association on behalf of Queen Mary at Hamilton, 8th May 1568, and dying in Caithness, 16th January 1593, was buried in the church of Wick. He married, contract dated 1552, Lady Margaret Hay, second daughter of George, seventh Earl of Errol, and by her had issue,

Mag. Sig. L. xxxi. No. 177.

Chronicle of Fife, 284. Penes Com. de Errol. D.

1. *Laurence*, Master of Oliphant.

2. *John* Oliphant of Newland.

1. *Elisabeth*, married to William, tenth Earl of Angus, and had issue.

2. *Jean*, married to Alexander Bruce of Cultmalindie, and had issue.

3. *Margaret*, married to Sir James Johnston of Westerhall, and had issue.

XVI. LAURENCE, Master of OLIPHANT, the eldest son, joined the Ruthven conspirators in 1582, and was concerned, along with his brother-in-law the Master of Morton, in cutting off four loads of spears, carrying from Perth to Stirling, thinking they had been Lord Hamilton's, when indeed they were the King's. They therefore judged it proper to leave the kingdom, and go abroad; but perished in their passage, in March 1584. He married,

Scotstarvet, 39.

contract dated 7th April 1576, Lady Christian Douglas, second daughter of William, second Earl of Morton. In fulfilment of that contract, she had charters, in her virginity, from Laurence, Lord Oliphant, of the lands of Galraw, Pitkerie, and others, in Forfarshire, 12th April 1576. By her, who took to her second husband Alexander, second Earl of Home, the Master of Oliphant had a son,

Oliphant.

Mag. Sig. L. xxxiv. No. 372, 374.

XVII. LAURENCE, fifth Lord OLIPHANT, who was born 24th March 1583, and was served heir of his grandfather, 14th June 1604, and 2d July 1605, in his extensive estates in the counties of Caithness, Edinburgh, Fife, Forfar, Haddington, Kincardine, and Perth, most of which he dissipated. He had charters of the barony of Aberdalgy, to him and Lilias Ruthven his wife, 28th January 1607, and of the barony of Cardny, in Perthshire, 14th March 1618.

Chron. Fife, 282.

Inq. Ret. iii. 89, iv. 9.

Mag. Sig. L. xliv. No. 188. L. xlviii. No. 84.

He married Lilias Drummond, eldest daughter of James, first Lord Maderty, by whom he had a daughter,

Anne, married to Sir James Douglas of Mordington. She was served heir of Laurence, Lord Oliphant, her grandfather, 18th January 1631, under the designation of Domina Anna Oliphant, sponsa Domini Jacobi Douglas de Mordingtoun, militis.

Inq. Ret. xii. 68.

It appears that Lord Oliphant, conceiving that the peerage would go to his daughter, and wishing to preserve it in the male line, resigned his honours and estates in favour of Patrick Oliphant, his heir male; but this settlement not having been ratified by the crown, Anne Oliphant, his daughter, asserted her pretensions to both before the Court of Session. King Charles I. was present in court, 11th July 1633, at the determination of this cause; and it was there found, that the deed by which Lord Oliphant had disposed of his honours, barred the succession of his daughter, but did not vest the peerage in the person to whom they were conveyed, and that Anne Oliphant had no right to it. Both the heir male and heir female were excluded by this decision, and the dignity was declared to be at the disposal of the King, who, according to Sir James Dalrymple, determined

Wallace, 363.

Durie's Decisions.

Dalr. Coll. 306.

that the heir male should have the title of Lord Oliphant, and that Sir James Douglas, husband of Anne Oliphant, should be called Lord Mordingtoun, with the precedency of Lord Oliphant. The heir male, on whom the King thus conferred the title of Lord Oliphant, was son of

XVI. JOHN OLIPHANT of Newland, second son of Laurence, fourth Lord Oliphant, who had the designation of Master of Oliphant; and married Lilias, fifth daughter of Patrick, fifth Lord Gray, widow of David Tyrie of Drumkilbo, by whom he had two sons,

1. *Patrick*, sixth Lord Oliphant.
2. *John*, who died without issue.

Inq. Ret. viii. 219.

XVIII. PATRICK OLIPHANT, the eldest son, had the designation of Master of Oliphant, and under that designation was, 14th June 1623, served heir in general of John, Master of Oliphant, his father, and of John, second son of John, Master of Oliphant, his brother. He was also served heir male of Laurence, Lord Oliphant, in 1633. He had charters to Patrick, Master of Oliphant, of the barony of Aberdalgy and Duplin, 31st July 1617; of Drumkilbo, 17th March 1626; and to Patrick, Lord Oliphant, and his wife, of the barony of Oliphant, 2d November 1646.

Ib. xii. 130.

Mag. Sig. L. xlviii. No. 267. L. li. No. 230. L. lvi. No. 229.

He married, first, Elisabeth, daughter of Sir Patrick Cheyne of Esslemont, by whom he had a daughter,

Lilias, married to Sir Laurence Oliphant of Gask.

He married, secondly, Mary, daughter of James Crichton of Frendraught, by whom he had three sons,

1. *Charles*, seventh Lord Oliphant.
2. *William*, ninth Lord Oliphant.
3. Captain *Francis* Oliphant.

XIX. CHARLES, seventh Lord OLIPHANT, the eldest son, took the oaths and his seat in parliament, 12th October 1706, opposed the treaty of union, was served heir of his father, 1st April 1707, and married Mary, daughter of Ogilvy of Milton, relict of Patrick Meldrum of Leathers, by whom he had a son,

XX. PATRICK, eighth Lord OLIPHANT, who dying without issue, 1721, the title devolved on his uncle,

XIX. WILLIAM, ninth Lord OLIPHANT, who was a colonel in the army, and died without issue.

XIX. FRANCIS, tenth Lord OLIPHANT, probably his brother, voted at elections down to 1747. He married, at London, 18th January 1747, Mrs Mary Lingley of York, and died at Islington, 19th April 1748. On his death,

WILLIAM, eleventh Lord OLIPHANT, assumed the title, and voted at an election, 1750. He was son of Charles Oliphant of Langton, one of the clerks of session*; and died without issue at Gravesend, near Holyroodhouse, 3d June 1751, acknowledging Laurence Oliphant of Gask to be heir to his peerage. That gentleman, however, having engaged in the rebellion 1745, and been attainted, did not assume the title. No person has voted as Lord Oliphant at elections of representative peers since 1750. John Oliphant of Bachilton was stiled Lord Oliphant; he died in March 1781; his posthumous daughter, Janet Oliphant of Bachilton, married, 8th March 1803, the Honourable Alexander Murray, eldest son of Alexander, seventh Lord Elibank.

ARMS.—Gules, three crescents, argent.

CREST.—An unicorn's head, couped, argent, armed, and maned, Or.

SUPPORTERS.—Two elephants, proper.

MOTTO.—*A tout pourvoir.*

* 31st August 1694, Magister Jacobus Oliphant de Langtoun, hæres Caroli Oliphant de Langtoun, unius ex clericis concilii et sessionis, patris. Inq. Ret. iii. 83.

SINCLAIR, EARL OF ORKNEY.

Orkney.
Caledonia, I. 540.

THE islands of Orkney being subdued by Harald Harfagre, King of Norway, soon after the year 875, that monarch delegated his power there to Sigurd, whom he created the first Earl of Orkney. The Norwegian race of Earls of Orkney appears to have failed in Magnus, Earl of Orkney, who married the Countess of Caithness, by whom, it would seem, he had two daughters, Margaret, married to Simon Fraser, and Isabella, married to Malise, Earl of Strathern, who was designed Earl of Strathern, Caithness, and Orkney, in the reign of David II. One of his daughters, Isabella, married Sir William Sinclair of Roslin; and her son Henry obtained the Earldom of Orkney in 1379.

Robertson's Index, 51.

The family of Sinclair, or Saint Clair, (de Sancto Claro), came over with William the Conqueror from Normandy into Britain. Two branches of that family settled in Scotland during the twelfth century, the Sinclairs of Roslin, and the Sinclairs of Herdmanstoun, ancestors of Lord Sinclair. The progenitor of the first was

I. WILLIAM DE SANCTO CLARO, who, in the reign of King David I., obtained the manor of Roslin, which was confirmed to him by that prince. He is said to have married a daughter of the Earl of March, by whom he had a son,

Caledonia, I. 548.

II. Sir WILLIAM SINCLAIR of Roslin, who got a confirmation of that barony in 1180, and obtained, from the monks of Newbottle, the lands of Balormin, for the yearly payment of one mark, bonorum sterlingorum. He witnessed a charter of Sir Thomas Maule about 1200, and had a son,

Ibid. I. 549.

Chartul. Newbottle, 52 and 77. D.

III. Sir HENRY SINCLAIR of Roslin, who witnessed many charters of King Alexander II. He is mentioned in two donations to the monks of Newbottle by William de Carruthers and William de Gourlay; and Dominus Henricus Sinclair, miles, witnessed a charter of William, Bishop of St Andrews, who died 1233, to the monastery of Paisley. He is said to have married a daughter of the Earl of Marr, by whom he had a son,

Ibid. 74. D.

Orkney.

Chartul. Paisley, 17. D.

IV. Sir WILLIAM SINCLAIR of Roslin, who witnessed a donation of King Alexander II. to the monastery of Newbottle in 1243. Dominus Willielmus de Sancto Claro is mentioned in a donation of William de Cheyne to the same monastery, 1260; and he died about 1270, leaving a son,

Chart. Newbottle, 171. D.

V. Sir WILLIAM SINCLAIR of Roslin, who was appointed sheriff of the county of Edinburgh for life in 1271, had a charter of confirmation from King Alexander III., in the 31st year of his reign, 1279-80, of the lands and barony of Roslin, Catticune, &c. for half a knight's service. He sat in the parliament at Scone, 5th February 1283-4, when the succession to the crown of Scotland was settled, in the event of the demise of Alexander III.; and the same month Willielmus de Sancto Claro, miles, was one of the commissioners sent to France to provide a wife for Alexander, and they brought home with them Joleta, daughter of the Earl of Dreux, who was married to the King. Guillaume de Seincler was in the assembly at Brigham, 12th March 1289-90, when the marriage of Margaret of Scotland with Prince Edward was proposed. Willielmus de Sancto Claro was one of the nominees on the part of Baliol in the competition for the crown of Scotland, 1292; swore fealty to King Edward I. 13th June 1292; was present when Baliol did homage to Edward I., 20th November 1292; and again, 20th December following. Edward addressed a letter, Willielmo de Sancto Claro, Vicecomiti de Edinburgh, to pay certain sums to Eric, King of Norway, 28th December 1292. Willielmus de Sancto Claro was summoned to attend Edward I. into France,

Pones Sinclair de Roslin. D.

Fœdera, II. 266.

Fordun, II. 127.

Fœdera, II. 472, 535, 538, 591, 594, 601, 644.

Orkney.

1st September 1294. He died about 1300, leaving three sons,

1. Sir *Henry*.

2. *William*, consecrated Bishop of Dunkeld about 1312. The English landing in Fife, in 1317, the Earl of Fife retreated, when the bishop, who was residing at his seat of Auchtertool, flew to the spot, and throwing aside his ecclesiastical vestments, seized a spear, and led the Scots to charge the enemies, who were driven back to their ships with considerable loss. When King Robert I. heard of this brave exploit, he gave Sinclair the appellation of his own bishop. He, however, performed the ceremony of the coronation of Edward Baliol in 1332; and he died 27th June 1337.

Dalr. Ann. II. 83.

3. *Gregory*, ancestor of the Sinclairs of Longformacus, in the county of Berwick, baronets, an account of whom is contained in Douglas's Baronage.

Doug. Bar. 249 to 257.

VI. Sir HENRY SINCLAIR of Roslin, swore fealty to Edward I., 13th June 1292, and was by Edward II. considered as attached to his interest, as a letter was addressed to him, and others of the King's friends, to assist in suppressing the Scots rebels, 30th September 1307, and another 20th May 1308. He obtained from King Robert I. a grant of all his Majesty's lands in the moor of Pentland, in free warren, for the service of the tenth part of a knight's fee, 1316-7. Henricus de Sancto Claro, Panetarius Scotiæ, was one of the patriots who signed the letter to the Pope, asserting the independency of Scotland, 1320. He was one of the guarantees of a truce with the English, 1st June 1323, and acquired a part of the lands of Gourtoun, 1328, from Gilbert de Gardin and Eustachia his wife. His son,

Fœdera, II. 558.

Ibid. III. 14, 81, 1025.

Reg. Mag. Sig. 13.

VII. Sir WILLIAM SINCLAIR of Roslin, accompanied Sir James Douglas on his expedition to the Holy Land with the heart of King Robert I., and was killed in Spain with Sir James, 25th August 1330. He left an infant son,

Dalr. Ann. II. 151.

VIII. Sir WILLIAM SINCLAIR of ROSLIN, who had from King David II. charters of the lands of Merchingstoun and Mortoun, in the county of Edinburgh. Willielmus Seyntcleret had a safe conduct into England, 6th May 1358.

Robertson's Index, 31, 36. Fœdera, VI. 82.

Orkney.

He married Isabel, one of the daughters and co-heiresses of Malise, Earl of Strathern, Caithness, and Orkney, and by her had issue,

1. *Henry*.

2. *David*. Among the charters of Robert III. is one confirming a charter dated 23d April 1391, by Henry de Sancto Claro, Earl of Orkney and Lord of Roslyn, to David de Sancto Claro his brother, of the lands of Newburgh and Auchdale, in Aberdeenshire, pro suo homagio et bono servitio nobis impenso, et pro toto tempore vitæ suæ impendendo, ac etiam pro suo jure et clameo aliquali in partibus Orcadiæ seu Schetlandiæ, sibi ratione Isabellæ de Sancto Claro, matris suæ, aliquo modo contingen.

Reg. Mag. Sig. 196.

Daughter, *Margaret*, married, first, to Thomas, second Earl of Angus, for which a papal dispensation was obtained, 1353; secondly, to Sir William Sinclair of Herdmanstoun, and had issue by both.

A. Stuart, 87.

IX. HENRY SINCLAIR of Roslin, the eldest son, had his claim to the earldom of Orkney admitted by Hakon VI., King of Norway, in 1379; but his investiture was burdened with severe conditions. He was considered as being appointed governor and Earl of Orkney by an absolute grace of the King; was bound to serve him with 100 men, completely armed, when required; to defend Orkney against any invasion with the whole power of his house; to assist his sovereign when he attacked any foreign state; not to build any castles without the royal consent; to maintain the inhabitants in their own laws; not to dispose of the earldom or the right thereto; to answer for mal-administration according to the laws of Norway; to attend the King upon any just cause, or at the national councils; the earldom to return to the King on failure of male heirs; Sinclair to pay to the King 1000 gold nobles; with other clauses unnecessary to enumerate. In case of a war betwixt the two nations, Sinclair must have chosen betwixt his Scottish and Norwegian fidelity, with the certainty that his possessions under both could not be retained. A safe con-

Pinkerton, I. 260.

Fœdera, VII. 712.

duct was granted to Henry Seintcler, Comes Orchadiæ, et Dominus de Roslyne, to come into England with twenty-four persons in his retinue, 10th March 1392.

Robertson's Index, 148.

King Robert III. granted a charter to the Earl of Orkney, of his castlewards of Pentland and Roslin. The same monarch granted a charter to John Nudre of some lands in Pentland, which were given him by Henry, Earl of Orkney, in excambion for the place and yards of Kirkcrawmond. The Earl died about 1400*.

By his wife, Jean, daughter of Sir John Halyburton of Dirletoun, he had issue,

1. *Henry*, second Earl of Orkney.

Fœdera, VIII. 410.

John, who had a safe conduct into England, 19th August 1405. Henry de Sancto Claro, Earl of Orkney, granted a charter at Roslin, 12th September 1410, of the lands of Sunellishope and Loganhouse, in the moor of Pentland and county of Edinburgh, to his brother John de Sancto Claro.

Reg. Mag. Sig. 247.

Fœdera, VIII. 738. IX. 6, 41.

A safe conduct was granted to John de Sancto Claro to come into England, 15th May 1412; again, 26th April 1413, to treat for the release of King James I.; also 16th July 1413, on the same account.

Pinkerton, I. 201.

In 1418, he did homage to Eric, King of Norway, for Zetland. John Saintclere had a safe conduct into England with thirty lances in his company, cum equis et armaturis spectantibus, to the number of sixty persons, 9th June 1421.

Fœdera, X. 128.

3. *William*, documented by a safe conduct into England, 19th August 1405, to William Seyntclere, brother of the Earl of Orkeneye.

Ibid. VIII. 410.

1. Lady *Elisabeth*, married to Sir John Drummond of Stobhall. King Robert III. granted a charter to John Edmond (a mistake for Drummond), knight, the King's brother, and Elisabeth Sinclair, his wife, daughter of the Earl of Orkney, of the lands of Murlache in Banffshire, on the Earl's resignation.

Robertson's Index, 128.

2. Lady *Mary*, married to Sir Thomas Somerville of Carnwath.

3. Lady *Jean*, married to Sir John Forrester of Corstorphine.

X. Henry, second Earl of Orkney,

* The fable of his having married Florentina, daughter of the King of Denmark, and been created Duke of Oldenburgh by Christian I. is exploded.

the eldest son, held the office of admiral of Scotland. He was appointed chief attendant on Prince James on his voyage to France, 1405; they were captured on their passage by the English, and sent to the Tower of Loudon. Orkney's brothers were permitted to visit him in August 1405; and a safe conduct was granted, 13th September 1405, to the Earl of Orkney to visit Scotland, his brothers apparently being hostages for him. He had a safe conduct to go into England as a hostage for the Earl of Douglas, 30th January 1406. He visited England in 1416, as, on the 14th of April that year, a safe conduct was granted to him, with twenty persons in his retinue. According to Fordun he died in 1420; but his death happened before 1418, when a dispensation was granted for his widow's marriage, and when John Sinclair, probably his brother, paid homage to Eric, King of Norway, for Zetland.

Pinkerton, I. 81. Fœdera, VIII. 410, 415, 430. IX. 341.

He married Egidia, daughter and heiress of William Douglas, Lord of Niddisdale, by Egidia, daughter of King Robert II. A papal dispensation was granted, 3 Kal. Maii 1418, permitting Alexander Stewart, and Egidia de Duglas, relict of the deceased Henry Saintclar, knight, to marry, notwithstanding their being within the second and third degrees of consanguinity. This Alexander Stewart was probably third son of Murdac, Duke of Albany, beheaded with his father 1425. The Earl of Orkney left by her a son,

A. Stuart, 449.

William, third Earl of Orkney;—and a daughter,

Lady *Beatrix*, married to James, seventh Earl of Douglas. Perhaps she was daughter of Henry the first Earl.

XI. William, third Earl of Orkney, was one of the hostages for James I. when allowed to visit Scotland, 31st May 1421; and had a safe conduct to meet him at Durham, 13th December 1423. He was admiral of Scotland, and conveyed the Princess Margaret to France, 1436, on her marriage with the Dauphin. He founded, in 1446, a collegiate church at Roslin, for a provost, six prebendaries, and two choristers, and endowed it with lands and other revenues. Here he erected a beautiful chapel, which is still admired by every

Fœdera, X. 125, 309.

Orkney.

Caledonia, II. 764. Fœdera, XI. 283, 300, 334.

Mag. Sig. I. iv. No. 164.

Crawf. Off. St. 34.

Fœdera, XI. 349. Seth. Add. Case, iv. 43.

Fœdera, XI. 283, 423, 434, 476.

Pinkerton, I. 207.

Rec. Parl. 163.

Mag. Sig. I. vii. No. 156.

eye for its elegant design and excellent workmanship. Willielmus, Dominus de Sancto Claro, baro, was one of the conservators of a treaty with England, November 1449, 14th August 1451, and 23d May 1453. A letter passed the great seal, 16th April 1452, releasing the inhabitants of Dysart, belonging to William St Clair, Earl of Orkney, from all payment of duty on salt. He was appointed high-chancellor of Scotland, 1454; William, Earl of Orkney, chancellor of Scotland, had a safe conduct into England, 8th July 1454. He had a grant of the earldom of Caithness, to him and his heirs, 28th August 1455, in compensation, as the charter bears, of a claim of right which he and his heirs had to the lordship of Nidisdale. William, Earl of Caithness, was one of the guarantees of a treaty with England, 11th June 1457. He resigned the office of chancellor, 1458. William, Earl of Orkney and Caithness, was a commissioner to treat with the English, 13th July 1459. William, Earl of Caithness, was one of the conservators of a treaty with England, 12th September 1459. Willielmus, Comes Orchadiæ et de Sancto Claro, was an ambassador to England, 24th September 1461. Several charters were granted to him from 1450 to 1462.

King James III. having acquired the islands of Orkney in marriage with Margaret of Denmark, 1469, the Earl of Orkney, in 1470, resigned his earldom into his Majesty's hands, and it was annexed to the crown by act of parliament, 1471. In part of recompence for his right of the earldom of Orkney, the King granted to him the castle of Ravenscraig in Fife, with the lands of Wilstoun, Dubbo, and Carbarry, adjacent to the said castle, by charter dated 17th September 1470. He had also, of the same date, an engagement that no revocation should take place, notwithstanding of the King's being under the age of twenty-five, a pension of 400 marks yearly out of the great customs of Edinburgh, licence to reside wherever he pleased, either in or out of Scotland, except in England, and that his rents might be remitted to him, exemption from attending parliaments, councils, and other meetings, with a discharge from the Kings of Scotland, Denmark, and Norway, of all claims whatever, ratified by parliament, 6th May 1471. He was now stiled Earl of Caithness and Lord Sinclair, and had a safe conduct as ambassador to England, 17th August 1471, 13th March 1472, and 24th August 1473. He resigned the earldom of Caithness in favour of William Sinclair, his son, of the second marriage, who in consequence obtained a charter of that earldom, 7th December 1476.

Orkney.

Fœdera, XI. 710, 740, 775.

His Lordship married, first, Lady Margaret Douglas, eldest daughter of Archibald, fourth Earl of Douglas, by whom he had a son,

William Sinclair of Newburgh, ancestor of Lord Sinclair;—and a daughter,

Lady *Catherine*, married to Alexander, Duke of Albany, second son of King James II., but divorced from him 2d March 1477-8, on account of propinquity of blood.

He married, secondly, Marjory, daughter of Alexander Sutherland of Dunbeath, as appears from the will and settlement of Alexander Sutherland of Dunbeath, in favour of his daughter Marjory, and William, Earl of Orkney and Caithness, and the bairns gotten and to be gotten betwixt them, 15th November 1456. They had issue,

Seth. Add. Case, vi. 110.

1. *William*, Earl of Caithness; see that title.

2. Sir *Oliver* Sinclair, upon whom his father settled all his estates south of the Tay, of which he had a charter, 10th December 1476. But after his father's death, his eldest brother, William Sinclair of Newburgh, raised a reduction of that settlement. A compromise was entered into. Sir Oliver gave over to William the lands of Cousland, in the sheriffdom of Edinburgh; the barony of Dysart, castle and lands of Ravenscraig, Dubbo, Carbary, and Wilstoun in Fife; and, on the other hand, William Sinclair of Newburgh, and his eldest son Henry, renounced all title to the barony of Roslin, the lands of Pentland, Pentlandmoor, Morton, and Mortonhall, in Edinburghshire, and the barony of Herbertshire in Stirlingshire, 9th February 1481-2. From him descended the respectable house of Roslin, as detailed in Douglas's Baronage, the direct male line

Crawf. Off. St. 35.

Doug. Bar. 245 to 249.

Orkney. of which terminated in William Sinclair of Roslin, vir priscæ virtutis, who died in 1778, æta. 78. Descended from an antient and illustrious house, whose heroes have often bled in their country's cause, he inherited their intrepid spirit, united with the milder virtues of humanity, and the polished manners of a gentleman. Athletic and active, he delighted in all the manly exercises, and in all of them excelled most of his contemporaries. Ardent in his pursuits, he steadily persevered in promoting the interests of every public society, whether of business or amusement, of which he was a member, and thereby justly obtained pre-eminence in each.

3. Sir *David* Sinclair of Siveburgh.

4. *John* Sinclair, titular Bishop of Caithness.

1. Lady *Eleonora*, married to John, Earl of Atholl, uterine brother of King James II.

2. Lady *Marian*, married to Sir John Houstoun of Houstoun.

3. Lady *Margaret*, married, 1480, to David Boswell of Balmuto in Fife, and was mother of Thomas Boswell of Auchinleck in Ayrshire, ancestor of that family.

4. Lady *Marjory*, married to Andrew, Master of Rothes.

Orkney.

The lands of the earldom of Orkney were conferred by King James V. on his natural brother, James, Earl of Moray, who had a charter dated 25th January 1530-1, Jacobo, Comiti Moraviæ, and the heirs male of his body, which failing, to return to the King, of all and whole the King's lands of the earldom of Orkney and Zetland. He died without issue, 1544.

Mag. Sig. L. xxiv. No. 23.

HEPBURN, DUKE OF ORKNEY.

JAMES, fourth Earl of BOTHWELL, was created Duke of ORKNEY and Marquis of Fife, 12th May 1567, three days before his marriage with Mary, Queen of Scots, and was forfeited, 29th December 1567. See title, Earl of Bothwell.

STEWART, EARL OF ORKNEY.

I. ROBERT STEWART, natural son of King James V., by Eupheme, second daughter of Alexander, first Lord Elphinston, was Abbot of Holyroodhouse, made profession of the reformed religion, 1559, and had a grant of the crown lands of Orkney and Zetland, 26th May 1565. Queen Mary, by writ of privy seal at Jedburgh, 3d November 1566, set forth, that her dearest brother Robert, commendator of Holyroodhouse, had sustained such sumptuous charges and expences, besides his labours, pains, and travel, in awaiting upon her highness service in times bypast, that

Caledonia, II. 753.

Crawf. Peer. 383.

Rec. Parl. 755.

Orkney.

he is not able to continue longer in his former "tryne" and honourable convoy, except her Majesty gratify the same, and give him some attestation of her Highness's good mind borne towards him: And, therefore, her Highness having regard to the acceptable service done to her by her said dearest brother, willing to receive the like of him in time to come, and to support the nourishing and upbringing of her Highness's cousins, Henry, Jane, and Mary Stewarts, his son and daughters, lawfully procreate betwixt him and Dame Jonet Kennedy his lady, and of Robert and James Stewarts, sons natural to her said dearest brother, and in holding of them at the schools during their minority and upbringing of them in virtue, whereby they may be the more able to serve her Majesty at their perfect age, gave to them in yearly pension, during all the days of their lifetimes, the sum of L. 990, usual money of this realm, together with nine chalders four bolls wheat, thirteen chalders eight bolls bear, eleven chalders eleven bolls oats, one chalder and five bolls meal, out of her Highness's third of the abbey of Holyroodhouse; ratified by act of parliament, 19th April 1567. He exchanged the abbey of Holyroodhouse for the temporal estates of the Bishop of Orkney, with Adam Bothwell, 1569. A letter passed the great seal, 18th July 1574, confirming the letter of pension granted by Robert Stewart, Lord of Orkney and Zetland, to his three legitimate children and two natural sons, already mentioned, of the terce of the abbacy of Holyroodhouse, reserving L. 860 to the ministers and readers. He was created Earl of Orkney, 28th October 1581, when King James VI. erected his lands of Orkney and Zetland into an earldom. He had a charter of the isle of Cuna, 18th December 1581; and a charter was granted by Adam, Bishop of Orkney, commendator of Holyroodhouse, Domino Roberto Stewart, feodifirmario Comitatus Orcadiæ et Zetlandiæ et nunc Comitis ejusdem, in liferent, and Henry Stewart, his eldest legitimate son, and the heirs male to be procreated of his body; remainder to Patrick, John, and Robert Stewarts, brothers-german of Henry; James and George Stewarts, natural sons of the said Earl; Francis, Earl of Bothwell, and the heirs male of their bodies respectively, of the episcopal lands in Orkney and Zetland, dated 6th July 1584. Robert, Earl of Orkney, had a charter of the earldom and lordship of Orkney and Zetland, 1st April 1589.

Caledonia, II. 738.

Mag. Sig. L. xxxiv. No. 108.

L. xxxv. No. 494, 495.

L. xlii. No. 4.

Robert, Earl of Orkney, married, in 1561, Lady Janet Kennedy, eldest daughter of Gilbert, third Earl of Cassillis, by whom he had issue,

1. *Henry*, who died before his father.

2. *Patrick*, second Earl of Orkney.

3. *John*, Earl of Carrick. Being heir presumptive to the earldom of Orkney, he was designed Master of Orkney, and, under that designation, had a charter of the lands of West Tarbat, in Ross-shire, 14th February 1601-2.

4. Hon. Sir *James* Stewart of Tullos*, who was one of the gentlemen of the bedchamber of King James VI., and had two sons, Captain Robert Stewart of Eday, and Colonel John Stewart.

5. Hon. Sir *Robert* Stewart*, who had a charter under the great seal of several lands in 1600.

1. Lady *Mary*, married to Patrick, seventh Lord Gray.

2. Lady *Jean*, married, first, to Patrick Lesly, commendator of Lindores; secondly, to Robert, Lord Melville of Raith, and had issue.

3. Lady *Elisabeth*, married to Sir John Sinclair of Murehil, brother of George, fifth Earl of Caithness.

4. Lady *Barbara*, married, according to Crawford, to Roderick Macleod of Lewes; according to D. Stewart, to Halcro of Halcro, in South Ronaldsay.

Mag. Sig. L. xxxvii. No. 138.

L. xliii. No. 24.

II. PATRICK, second Earl of ORKNEY, the eldest surviving son, had a letter of provision under the great seal, Patricio Stewart, filio legitimo Roberti, Comitis de Orkney, ad prioratum de Quhithern, 16th January 1581-2. Succeeding his father, he had a charter of the earldom of Orkney and lordship of Zetland, 1st March 1600.

L. xxxv. No. 654. L. xlii. No. 142, 149.

* It would appear from the charters already recited, that James and Robert were not legitimate sons of the Earl, though they are called brothers-*german* of the second Earl in the charter of 16th March 1600. A legitimation passed the great seal, 28th November 1586, to George Stewart, bastard, natural son of Robert, Earl of Orkney. Mag. Sig. L. xxvi. No. 103.

Orkney.

to Patrick, Earl of Orkney, Lord of Zetland, and the heirs male of his body; which failing, to John Stewart, his second brother-german, James Stewart, his third brother-german, Robert Stewart, his fourth brother-german, Ludovick, Duke of Lennox, and the heirs male of their bodies respectively. He had a charter of the episcopal lands of Orkney, 15th Mach 1600, and was served heir of his brother Henry, Master of Orkney, 2d October 1606. By his resort to court and profuse spending, he involved himself in great debt, and, endeavouring to repair his ruined fortunes by unlawful and oppressive acts, was committed prisoner to the castle of Edinburgh in 1611. One of his illegal orders was, that if any man endeavoured to relieve ships in distress, he should be punished with fine and imprisonment. Having impignorated his estate to Sir John Arnot, the King purchased Arnot's right, and took possession of the castles of Kirkwall and Birsay. The Earl sent his natural son, Robert Stewart, to Orkney, and he raised a body of men and seized on these castles in 1613. The Earl of Caithness, by the King's orders, proceeded to Orkney, attacked and took the fortified places. Robert Stewart was sent to Edinburgh, convicted and executed. The Earl of Orkney, who had been removed to Dunbarton Castle, was brought back to Edinburgh in October 1613, and tried for treason in causing his son to surprise the castle of Kirkwall, the steeple of the church, the yards and house of Birsay, inciting the people to rebellion, and detaining the castles and houses after he was charged to deliver up the same. He was found guilty, and sentenced to be beheaded, which sentence was carried into execution at the market cross of Edinburgh, 6th February 1614. His estates and honours were forfeited to the crown.

Orkney.

Inq. Ret. iv. 262.

Spottiswood, 520.

He married Margaret, daughter of William, Lord Livingston, relict of Sir Lewis Bellenden of Auchinoule, justice-clerk, without issue.

HAMILTON, EARL OF ORKNEY.

I. Lord George Hamilton, fifth son of William and Anne, Duke and Duchess of Hamilton, baptised at Hamilton Palace, 9th February 1666, was bred in the military line under his uncle the Earl of Dunbarton. He had the rank of colonel in the army, March 1690; the command of the 7th regiment of foot, 23d January 1692, and of the 1st, or Royal Scots, 1st August 1692, retaining it till his death. He distinguished himself at the battles of the Boyne, Aghrim, Steinkirk, Landen, Audenarde, Ramilies, and Mons; and at the sieges of Athlone, Limerick, and Namur; at the attack of the latter he was made a brigadier-general by King William, and gradually rose to the rank of field-marshal of the forces. He was created a peer, by the titles of Earl of Orkney, Viscount of Kirkwall, and Baron Dechmont, by patent, dated at Kensington, 3d January 1696, to him and the heirs male of his body; which failing, to the heirs whatsoever of his body. He is described as a very well shaped black man, brave, but, by reason of a hesitation in his speech, wanting expression. He attained the rank of lieutenant-general, 8th June 1702; was, on the revival of the order of the Thistle, invested therewith, 4th February 1704, and was sworn a privy-councillor 1710. He was constituted general of foot in Flanders under the Duke of Ormond, 1712; was appointed governor of the castle of Edinburgh, by Queen Anne, on the removal of the Duke of Argyll, was continued in it by King George I., who also nominated him one of the lords of his bedchamber, 28th October 1714. He was likewise constituted governor of Vir-

Hamilton Register.

Macky, 162.

Orkney.

ginia, 21st December 1714; was chosen one of the sixteen representatives of the Scotish peerage, at the general election 1708, and rechosen at every general election, 1710, 1713, 1715, 1722, 1727, and 1734, to his death, which happened in Albemarle Street, London, on the 29th of January 1737, in his 71st year, being then field-marshal of the forces, governor of the province of Virginia and of the castle of Edinburgh, colonel of the Royal Scots regiment of foot, knight of the Thistle, and lord-lieutenant of Lanarkshire. He was buried at Taplow, near his fine seat of Cliefden, a seat adorned with tapestry representing the victories of the Duke of Marlborough, in which he had so great a share, that was unfortunately reduced to ashes by an accidental fire in May 1795.

Male. Lond. Rediv.

His Lordship married, at the church of St Martin's, Ludgate, 25th November 1695, Elisabeth, eldest daughter of Sir Edward Villiers, knight marischal of England, sister of the first Earl of Jersey. This lady was so high in the favour of the phlegmatic King William III., that she obtained from him a grant under the great seal of England, 30th May 1695, of all the private estates of King James in Ireland, but which grant was resumed by parliament*; and Swift gave her the unqualified praise of being the wisest woman he ever saw. By her, who died in Albemarle Street, London, 19th April 1733, she had three daughters,

1. Lady *Anne*, Countess of Orkney.

2. Lady *Frances*, married to Thomas Lumley Saunderson, Earl of Scarborough, and had issue, was lady of the bed-chamber to the Princess of Wales, and died 27th December 1772.

3. Lady *Harriot*, married 9th May 1728, to George, Earl of Orrery, afterwards Earl of Cork, and had issue; and died at Cork, 22d August 1732, to the great grief of her husband, who paid this tribute to her memory in his translation of Pliny's Epistles:

Orkney.

If purest virtue, sense refin'd in youth,
Religious wisdom, and a love of truth,
A mind that knew no thought ignobly mean,
A temper sweetly cheerful, yet serene,
A breast that glow'd with those immortal fires
Which godlike charity alone inspires;
If these could lengthen fate's tremendous doom,
And snatch one moment from the gaping tomb,
Death had, relenting, thrown his dart aside,
And Harriot, oh my Harriot! had not died.

II. Lady ANNE HAMILTON, Countess of ORKNEY, the eldest daughter, succeeded her father 1737, and died 6th December 1756. She married, 28th March 1720, her cousin-german, William, fourth Earl of Inchiquin, and by him, who survived till 18th July 1777, had issue,

1. *William*, Lord Obrien, born 1725, died 4th April 1727.

2. *George*, Lord Obrien, born 8th August 1727, died 26th April 1728.

3. *Augustus*, Lord Obrien, died an infant.

4. *Murrough*, Viscount Kirkwall, and Lord Obrien, who, by the will of the Earl of Thomond, was made heir to the greatest part of his estate, but was unfortunately snatched away by the small-pox, 20th September 1741, and was buried in the church of Taplow with his three brothers, and the Earl and Countess of Orkney.

1. Lady *Mary*, Countess of Orkney.

2. Lady *Anne*, born 11th June 1721, died at Cliefden, 19th May 1808, in her 87th year, unmarried, and was buried at Taplow.

3. Lady *Frances*, born 2d December 1728, died 21st August 1740.

4. Lady *Elisabeth*, born 8th November 1729, died 15th December 1741.

III. Lady MARY OBRIEN, Countess of ORKNEY, succeeded her mother 1756; she married, March 1753, her cousin-german, Murrough, fifth Earl of Inchiquin, a privy-councillor, knight of the order of St Patrick, created Marquis of Thomond in Ireland, 1801, and Baron Thomond of

* The private estate of King James in Ireland, thus granted, contained 95,649 acres, worth yearly L. 23,998, 18s., valued at L. 337,943, subject to a payment of L. 2000 a-year to Lady Susan Belasyse, and L. 1000 a-year to Mrs Godfrey, for their respective lives. A bill was brought into the House of Commons, 15th December 1699, for resuming the above, and all other grants since 13th February 1688, to the use of the public. The Countess of Orkney possessed no personal charms, all her attractions being those of the mind. Lord High-Treasurer Oxford made great use of her advice in the change of ministry, 1709.

Orkney.

Taplow, a British title, 15th September 1801. The Countess of Orkney died 10th May 1791, and the Marquis of Thomond was killed by his horse falling with him in Grosvenor Square, London, 10th February 1808, in his 85th year; and he was buried at Taplow on the 19th of that month, leaving one surviving daughter,

IV. Lady MARY OBRIEN, Countess of ORKNEY, who was born in 1755, and succeeded her mother in 1791. She married, 21st December 1777, the Hon. Thomas Fitzmaurice, M. P. brother of the first Marquis of Lansdowne; and by him, who died in November 1793, has one son,

V. THOMAS, Viscount of KIRKWALL, born 9th October 1778, elected Member of Parliament for Heytesbury in Wiltshire, at the general election 1802; married, at Abergele, 11th August 1802, to the Hon. Anne Maria Blaquiere, (born 17th November 1780) eldest daughter of Lord de Blaquiere.

TITLES.—Lady Mary Obrien, Countess of Orkney, Viscountess Kirkwall, and Baroness of Dechmont.

CREATIONS.—Earl of Orkney, Viscount of Kirkwall in Orkney, and Baron of Dechmont in the county of Linlithgow, by patent, dated at Kensington, 3d January 1696, to the first Earl, et hæredes masculos de ejus corpore, quibus deficientibus hæredes de ejus corpore quoscunque. Orkney.

ARMS.—Quarterly: 1st, Azure, a ship at anchor within a double tressure, charged with fleurs-de-lis, Or, for Orkney. 2d and 3d, Quarterly; 1st and 4th, three cinquefoils pierced, ermine, for Hamilton. 2d and 3d, Argent, a ship with its sails furled up, sable, for Arran. 4th, Argent, a man's heart, gules, ensigned with an imperial crown, Or, on a chief, azure, three stars of the first, for Douglas.

CREST.—In a ducal coronet, Or, an oak fructed and penetrated transversely in the main stem by a frame saw, proper, the frame, Or.

SUPPORTERS.—Dexter, an antelope, argent, his horns, ducal collar, chains, and hoofs, Or; sinister, a stag, proper, attired, collared, chained, and hoofed, as the dexter.

MOTTO.—*Through.*

CHIEF SEAT.—Cliefden, on the banks of the Thames, in the county of Buckingham.

DOUGLAS, EARL OF ORMOND.

Ormond.

Fordun, II. 514. Fœdera, XI. 285, 326.

HUGH DOUGLAS, fourth son of James, seventh Earl of Douglas, was created Earl of Ormond 1445, and had a safe conduct to pass through England with the Earls of Douglas and Moray, 12th May 1451, being designed Hugo de Douglas, Comes de Ormond; again, 2d May 1453. Engaging in the rebellion of the Earl of Douglas, he was made prisoner, attainted, condemned, and executed, in May 1455. He had a son, Hugh Douglas, Dean of Brechin, who died without issue. Ormond. Pinkerton, II. 231.

STEWART, MARQUIS OF ORMOND.

Ormond.

Scots. Addl. Case, iv. 57.

JAMES STEWART, second son of King James III, was, at his christening, created Marquis of Ormond, an empty title, unusual in Scotland, without territory, and without jurisdiction. He was afterwards advanced to the dignity of Duke of Ross, and will be treated of under that title.

Ormond.

MACGILL, VISCOUNT OF OXFURD.

Oxfurd.

I. SIR JAMES MACGILL, provost of Edinburgh, in the reign of James V., acquired some lands near Edinburgh, in 1537, and obtained a charter of confirmation of them under the great seal, to himself and Helen Wardlaw his wife, dated 7th September 1538. He was among the first embraced the reformation; and by his said wife, who was a daughter of Wardlaw of Torie in Fife, he had two sons,

In Pub. Arch. D.

1. Sir *James* Macgill of Rankeilor Nether, who was admitted an ordinary lord of session, 18th August 1554, and the same year appointed clerk-register. He was deprived of the latter office for his concern in the murder of Rizio, 1566, but was restored 1567, and was one of the commissioners chosen to attend the Regent Moray to York in 1568, to manage the accusation against Queen Mary. He was dead before 15th August 1579, when his seat on the bench, vacant by his decease, was filled up *. From him descended the Macgills of Rankeillour and Kemback. His eldest son, James Macgill of Rankeillour, was father of James Macgill of Rankeillour, father of David Macgill of Rankeillour, father of Sir James Macgill of Rankeillour, father of David Macgill of Rankeillour, father of James Macgill of Rankeillour, who, in 1734, claimed the title of Viscount of Oxfurd.

Hailes's Catal.

Staggering State, 119.

2. *David.*

II. DAVID MACGILL, the second son, acquired the barony of Nisbet, of which he had a charter, 1561, also the lands of Cranstoun-riddel, in the county of Edinburgh. He had charters of the lands of Ransburn and Nisbetshiels, in Berwickshire, 12th November 1578; of Balvormy, in the county of Linlithgow, to him and Elisabeth Forrester his wife, of the same date; and of the lands of Quhytebanks, in the same county, to them, 23d December 1583. He was appointed a lord of session, 27th June 1582, and the same year was constituted King's advocate, which last office he held till 1589; and he was dead before 12th March 1594, when his seat on the bench, vacant by his decease, was filled up. In the public register is a charter, probably of confirmation, to him and his wife, of Cramond Island and Preston, 21st his wife, had a charter, 10th November 1578. Mag. Sig. L. xxxv. No. 38.

Mag. Sig. L. xxxiii. No. 222, 223, 226.

Hailes's Catal.

Mag. Sig. L. xlii. No. 97, 238. L. xlv. No. 68.

Oxfurd.

Robertson's Proceedings, 148.

* He had charters, Jacobo Macgill, advocato, clerico regimæ, and Jonet Adamson his wife, and the heirs male of his body, remainder to David his brother, of the lands of Lurg, Glenquichen, and Dargavel, 3d November 1543; of Balgavy, 11th August 1550; of Neyer Rankeillour, 3d March 1553-4; of Auld Lindores, 10th February 1558-9, and of Arnotstoun, 26th March 1572, besides several other charters. Mag. Sig. L. xxix. No. 225. L. xxx. No. 481. L. xxxi. No. 213. L. xxxii. No. 61, 379. L. xxxiii. No. 72. It is said that he acquired the barony of Pinkie, near Musselburgh. Jonet Adamson,

Oxford. March 1594; and charters of confirmation to David Macgill of Cranston-riddel, King's advocate, and David Macgill, his son, of Quhytbanks, 11th January 1600, and of Cranston-riddel, Spotscheill, Ransburn, Nisbetshiels, and Balvormie, 3d February 1601. He married Elisabeth, daughter of James Forrester of Corstorphine, by whom he had issue,

1. *David.*

2. *Laurence* Macgill, advocate, who, Edin. Reg. 21st January 1598, married Jean Crichton, by whom he had several children.

1. *Elisabeth*, married, first, to Logan of Restalrig; secondly, to Sir Thomas Kennedy of Cullean.

2. *Jean*, married to Ross of Balniel.

III. David Macgill of Cranston-riddel, the eldest son, had charters of the Mag. Sig. L. xxxvii. No. 224, 392, 465. lands and baronies of Cranston-riddel, Nisbet, Nisbetshiels, Burnside, Balvormie, and Parkley, 6th December 1585, and of the lands of Cullean in Ayrshire, 14th October 1590. He was appointed a lord Hailes's Catal. of session, 25th May 1597, and died 10th May 1607. He married Mary, daughter of Sir William Sinclair of Herdmanstoun, by whom he had issue,

1. *David* Macgill of Cranstoun-riddel, Inq. Ret. iv. 99. who was served heir of his father, 25th August 1607, had a charter of Cranstoun-riddel, &c. 23d April 1617, and died without issue 15th May 1619.

2. Sir *James.*

Edin. Reg. 3. *Thomas*, born 28th June 1598.

Ibid. 4. *Alexander*, born 20th July 1600.

Daughter, *Margaret*, married to the Hon. James Cranstoun.

IV. Sir James Macgill of Cranstoun-Inq. Ret. viii. 146. riddel, was served heir of his brother, 10th July 1619, was created a baronet 1627, Hailes's Catal. and appointed a lord of session, 3d November 1629. He obtained a grant of the parsonage and vicarage tithes of the lands of Nisbet, &c. 1631; of Vicarshill, and the tithes of the barony of Pencaitland, 1st February 1636; and a charter of the barony of Cousland, 12th February 1639; Rescinded Acts. all ratified in parliament 1641. The same year he was one of the lords of session constituted by act of parliament, 14th November, and was appointed one of the commissioners of exchequer, 1st February 1645. He was created a peer, by the Oxford. Robertson's Proceedings, 222. title of Viscount of Oxfurd, and Lord Macgill of Cousland, by patent, dated 19th April 1651, to him and his heirs male of entail and provision whatsoever. He died Lamont's Annals, MS. 5th May 1663.

His Lordship married, first, Catherine, daughter of Sir John Cockburn of Ormistoun, by whom he had issue,

1. Hon. *Andrew* Macgill, born 26th July Edin. Reg. 1630, died young.

2. Hon. *Patrick* Macgill, who died un- Inq. Ret. in Pub. Arch. married in 1651.

1. Hon. *Elisabeth* Macgill, married to Patrick Hamilton of Preston; she had a daughter, Jean, born 2d February 1666, Edin. Reg. and a son, Colonel Thomas Hamilton of Preston and Fala, who married Elisabeth Stewart of the house of Grandtully, by whom he had a daughter, Elisabeth, married to Malcolm Gibson, Esq. a son of the family of Durie; and a son, Thomas Hamilton Macgill of Fala and Oxfurd, who succeeded as heir of entail to the Oxfurd property, 1758, and died 18th October 1779. He married Elisabeth, daughter of Sir John Dalrymple of Cousland, Bart., one of the principal clerks of session, and by her had one daughter, Elisabeth, married, 7th October 1760, to her cousin Sir John Dalrymple, baronet, who was designed Sir John Dalrymple Hamilton Macgill of Cousland, Cranstoun, and Oxfurd, and died in 1810. Their eldest surviving son, Sir John Dalrymple, baronet, is a major-general in the army.

2. Hon. *Anne* Macgill, married to Sir James Richardson of Smeaton.

His Lordship married, secondly, Christian, daughter of Sir William Livingston of Kilsyth, by whom he had issue,

1. *Robert*, second Viscount of Oxfurd.

Ibid. 2. Hon. *David* Macgill, born 16th July 1649.

Ibid. 3. Hon. *George* Macgill, born 11th March 1655.

Ibid. Daughter, Hon. *Christian* Macgill, born 19th February 1654, married, first, to Alexander Crawford of Carse; secondly, to George Ross of Galstoun.

According to the petition of James Macgill, James, Viscount of Oxfurd, in 1662,

Oxfurd. Robertson's Proceedings, 147.

obtained, on his own resignation, a charter of his estate to himself for life; remainder to Robert, his eldest son, and the heirs male of his body; remainder to the heirs male of his own body; remainder to such person or persons as he had named or appointed, or should name or appoint, by writing under his hand; in default of which, to his heirs male whatsoever; which all failing, to his heirs and assigns whatsoever.

Inq. Ret. xxvii. 106.

V. ROBERT, second Viscount of OXFURD, the eldest son of the second marriage, was served heir of tailzie and provision of his brother Patrick Macgill, second son of Sir James Macgill of Cranstoun Macgill, knight baronet, in lands in the counties of Berwick, Edinburgh, Haddington, and Linlithgow, 28th February 1656, and of his father, 29th July 1663. He died 8th December 1706, aged about 58. He married, first, in July 1666, Lady Henriet Livingston, only daughter of George, third Earl of Linlithgow; he was sent on his travels afterwards, and remained four years abroad. By her he had a son,

Edin. Reg.

Hon. Colonel *Thomas* Macgill, born 21st January 1676, who died without issue in September 1701, in the lifetime of his father, who was served heir of him in 1705; —and three daughters,

Inq. Ret. in Pub. Arch.

Edin. Reg.

1. Hon. *Christian* Macgill, born 16th March 1677; she married the Hon. William Maitland, a younger son of Charles, third Earl of Lauderdale, and died 1707, in her 30th year, leaving a son, Robert, who assumed the title of Viscount of Oxfurd, and voted as such at an election of a representative peer, 21st September 1733; but died without issue, 1735.

Ibid.

2. Hon. *Elisabeth* Macgill, born 20th May 1678, died unmarried.

3. Hon. *Henriet* Macgill, married to James Hamilton, younger of Orbistoun, without issue. She assumed the title of Viscountess of Oxfurd on her nephew's death in 1735, when she succeeded to the estates. Having some differences with Thomas Hamilton of Fala, the next heir of entail, she advertised a sale of all the timber on the estates; a bill of suspension was presented by Mr Hamilton, but refused by the Lords of Session, 16th February 1737; and she died at Balmanno, in Perthshire, on the 11th of October 1738, in the 77th year of her age.

Morison's Decisions, 15408.

His Lordship married, secondly, Lady Jean Ramsay, eldest daughter of George, second Earl of Dalhousie, relict of George, tenth Lord Ross, without issue.

Oxfurd.

At the election of a representative peer of Scotland, 21st September 1733, Robert Maitland Macgill voted as Viscount of Oxfurd; James Macgill of Rankeillour also tendered his vote as such, which was refused. He thereupon presented to the King the petition of James Macgill, Viscount of Oxfurd, praying that his Majesty would be pleased to give such directions as he should think proper for declaring and establishing the petitioner's right and title to the honour and dignity of Viscount of Oxfurd, and Lord Macgill of Cousland. This petition being, by the King's order, laid before the House of Lords, 18th March 1734, was referred to the lords' committees for privileges, from whom, on the 25th April 1735, the Earl of Crawford reported, that the committee had considered of the said petition, and heard counsel, and examined witnesses on the part of the petitioner, and read grants, surrenders, patents, charters, retours, and marriage articles; and likewise heard counsel for Robert, son and heir of Christian, daughter of Robert, late Viscount of Oxfurd, as also counsel on behalf of the crown; and are of opinion, that the petitioner has not made out any right to the honours and titles of Viscount of Oxfurd and Lord Macgill of Cousland. On this Lord Hailes remarks, this was a decision unexceptionably and demonstratively just; the patent was granted to the heirs male of entail and of provision whatsoever of the first Viscount; the claimant had in his person one-half of the description in the limitation, being the heir-male; but he had not the other half, Robert Macgill being the heir of entail and provision. Robert Macgill did not claim the title, and never afterwards voted as Viscount of Oxfurd. On his death, in 1735, the estates went to his aunt, the Hon. Mrs Hamilton of Orbistoun; on her death, in 1738, they devolved on Thomas Hamilton of Fala; and they are now in

Robertson's Proceedings, 125.

Ibid. 165.

Seth. Add. Case, vi. 83.

Oxford. the possesson of his grandson, Major-General Sir John Dalrymple, baronet, heir of line, entail, and provision of the Viscounts of Oxford.

ARMS.—Gules, three martlets, Or.

CREST.—A phœnix in flames, proper.

SUPPORTERS.—Dexter, a horse at liberty, argent, gorged with a Viscount's coronet, with a chain thereto affixed, maned and hoofed, Or; sinister, a bull, sable, collared and chained as the former. Oxford.

MOTTO.—*Sine fine.*

VALONIIS, LORD OF PANMURE.

Panmure. I. PETER DE VALONIIS was one of the most eminent followers of William the Conqueror when he invaded England. The surname was taken from the town of Valones, or Valoignes, in Costatyn in Normandy, where he was possessed of a fair estate. The conqueror bestowed on him fifty-seven lordships in the counties of Essex, Norfolk, Suffolk, Hertford, Cambridge, and Lincoln. He was high sheriff of Essex, 1087, and fixed his residence at the castle of Orford in Suffolk, which he built. He and Abreda his wife, daughter of Hubert, Lord of Ric, and sister of Eude, steward of King Henry I., founded the priory of Binham in Norfolk, and amply endowed it with lands and revenues, for the welfare of the souls of William the Conqueror and Maud his Queen, and for the good estate of Henry I. He obtained from Henry the manors of Essenden and Begeford, and the mills of Hertford; and, in the 7th year of that Prince's reign, he was a commissioner to determine differences concerning the liberties of the church of Ripon. His son,

Crawf. Off. St. 254.

Ibid. II. ROGER DE VALONIIS, obtained from the Empress Maud a confirmation of the the grant of Henry I. of the manors of Essenden and Begeford, with all the other lands whereof his father died seized. He confirmed his father's donation to the monks of Binham, and by Agnes his wife had six sons,

1. *Peter* de Valoniis, who died without issue. Panmure.

2. *Robert* de Valoniis, who died 1184, leaving a daughter, Gunnora, married to Robert, Lord Fitzwalter; and had a daughter, Christian, married to William Mandeville, Earl of Essex; she died without issue 1234.

3. *Geoffry* de Valoniis, Lord of Burton in Yorkshire, who died without issue 1190.

4. *John* de Valoniis, a priest.

5. *Philip* de Valoniis.

6. *Roger* de Valoniis, who witnessed charters of William the Lion, from whom he obtained the manor of Kilbride in Clydesdale, with other lands in the west of Scotland. He had a controversy with Joceline, Bishop of Glasgow, (from 1175 to 1199,) about the church of Kilbride, which was settled at Lanark, in presence of the King. He left a daughter, Isabel, who carried the manor of Kilbride to her husband David Cumyn. Caledonia, I. 527.

III. PHILIP DE VALONIIS, the fifth son, came to Scotland at the end of the reign of Malcolm IV. He was a constant attendant on William the Lion, and was one of the hostages for his liberation, 1174. In recompence, the King made him a grant of the manors of Panmure and Benvie in Forfarshire, and appointed him high-chamberlain of Scotland about 1180. He confirmed to the monks of Melrose the lands Crawf. Off. St. 257. Fœdera, I. 39.

Panmure.

of Ringwood in Roxburghshire, for the welfare of the souls of David I., his son Henry, Malcolm IV., William I., and his brother David. He gave to the monks of Cupar an acre of land in his port of Stinchindehaven, with a fishing; witnessed the agreement betwixt King William I. and King John, 1209; was continued chamberlain by Alexander II. on his accession, 1214; and dying on the 5th of November 1215, was interred with great solemnity in the chapter-house at Melrose Abbey. He died possessed of Panmure and Benvie, many lands in the west and south of Scotland, and several lordships in England, and left a son,

Fœdera, I. 125.

William,—and two daughters,

1. *Sibilla*, wife of Robert de Stutevill, to whom her father gave the lordship of Torpenhow, in Cumberland, in free marriage; she had a son, Robert, who died young without issue.

2. *Lora*, the wife of Henry de Baliol, chamberlain of Scotland, grand-uncle of John Baliol, King of Scotland, to whom her father gave in marriage the lands of Panlathy and Balbenie in Forfarshire, which lying contiguous to the barony of Panmure, were given in excambion for other lands by the said Henry de Baliol to Peter de Maule of Panmure, and Christian de Valoniis his wife.

Panmure.

IV. William de Valoniis, the only son, had from William the Lion a charter of Panmure and Benvie, the charter bearing, 'that the King had given these lands to Philip his father. He obtained from Alexander II. the office of high-chamberlain of Scotland on his father's death; witnessed many charters of that monarch; had, in 1218, the guardianship of his nephew, Robert de Stuteville, Lord of Lidel, in Cumberland, then under age; and dying at Kelso, in 1219, was, contrary to the will of the monks of that place, carried to Melrose, and buried in the chapter-house there, next to his father. He left one daughter, *Christian*, his sole heiress, married, about 1224, to Sir Peter de Maule; of whom in the following article.

Crawf. Off. St. 258.

MAULE, EARL OF PANMURE.

This very antient family is of French extraction, their name being assumed from the town and lordship of Maule, in the Vexin Francois, eight leagues from Paris, which, together with the adjacent barony of *Panmure*, belonged to the lords of that name for 400 years. Roger, last Lord of Maule, was killed at the battle of Nicopolis in Hungary, fighting against the Turks, 1398; and his coat of arms, which is the same with that borne by the Earls of Panmure, was set up in the church of Notre Dame in Paris. His only daughter and heiress was married to Simon de Morainvilliers, Lord of Flaccourt.

I. Guarin de Maule, a younger son of Ansold, Lord of Maule, accompanied William the Conqueror in his invasion of England, 1066; is mentioned in the roll of Battle Abbey; and obtained from the Conqueror the lordship of Hatton in Cleveland, in Yorkshire, and other lands. He died about 1100, leaving two sons, one of whom,

Crawf. Off. St. 259.

II. Robert de Maule, attached himself to David, Earl of Huntingdon, after wards King David I. He came to Scotland with that monarch, obtained from him a grant of several lands in Lothian, and died about 1330. He had three sons,

Ibid. Caledonia, I. 523.

1. *William* de Maule, who accompanied

Panmure.

David I. to the battle of the Standard, 1138, and obtained from that munificent Prince the lands of Foulis, in Perthshire, out of which he made a donation to the priory of St Andrews, of the chapel of Foulis. He also gave to the canons of the priory of St Andrews, and Thomæ Masculo, clerico, nepoti suo, his church of Foulis, in pure alms, coram Willielmo, priori Sti. Andreæ, Duncano Comite, Adamo fratre Comitis, Michaele Masculo, Ricardô nepote suo. Willielmus Masculus de Foulis, witnessed a charter of Earl Henry. He had two daughters; Christian, who married Roger Mortimer; and Cecilia, who married Walter de Ruthven, ancestor of the Earls of Gowrie: they inherited the barony of Foulis.

2. *Roger.*

3. *Radulphus* Masculus de Lochogow, on the Esk, in Lothian, who made a donation of part of these lands to the monks of Newbottle, for the welfare of his soul, confirmed by his grandson, Thomas Maule, about 1210.

Chartul. of Newbottle, 74, 77. D.

III. Roger de Maule, the second son, witnessed a charter of Duncan, Earl of Fife, to the priory of St Andrews; and another of Richard de Morville, constable of Scotland, between 1162 and 1180. He had three sons,

Chartul. of St Andrews. Book of Original Charters, penes Macfarlane. D.

1. Sir *Richard.*

2. *John* de Maulia, who witnessed a donation of William, Bishop of St Andrews, to the church of Haddington, between 1203 and 1223, and other donations of the same bishop.

Chartul. of St Andrews.

3. *Thomas*, designed Thomas Masculus, clericus, nephew of William Maule of Foulis, in a charter to the priory of St Andrews.

Crawf. Peer. 388.

IV. Sir Richard de Maule, the eldest son, was heir male of his uncle William, to whom he is designed nephew in several charters, in the reign of William I. and Alexander II. He had two sons,

Chartul. of St Andrews. D.

1. Sir *Peter.*

2. *William* de Maulia, Archdeacon of Lothian, who witnessed several charters in the reign of Alexander II., and was designed of Bastenden, as appears from a donation made by him to the monastery of Coldstream, witnessed by Robert de Maule, his nephew.

Chartul. Newbottle. Kelso, 48, 49, 50, 51, 52. Coldstream, 45 47. D.

Panmure.

V. Sir Peter de Maule, the eldest son, about the year 1224, married, as already mentioned, Christian, only daughter and heiress of William de Valoniis of Panmure, with whom he got the baronies of Panmure and Benvie, and other lands both in England and Scotland. On the death of Christian, Countess of Essex, without issue, in 1234, Christian de Valoniis became heir of line of this noble family; and the large possessions of the De Valoniis family, in the counties of Cambridge, Essex, Hertford, Norfolk, and Suffolk, were divided between her, Lora, her aunt, and Isabel, her cousin, for which they paid L. 100, as their relief, to King Henry III. And thereafter, succeeding to the inheritance of Sibilla de Valoniis, widow of Robert de Stuteville, Sir Peter de Maule, and Lora Baliol, his wife's aunt, were taxed L. 20, in 1253, on the eldest son of Henry III. being made a knight. Moreover, Sir Peter de Maule, and Christian his wife, in 1254, gave, in free alms, to the monks of Aberbrothock, the lands of Brakis, in the barony of Panmure; some dispute occurring about the marches, the matter was settled, by a solemn perambulation of the lands, on a precept from the King to Alexander, Earl of Buchan, justiciary of Scotland, printed at length in the Appendix to the Lives of the Officers of State. He died towards the end of 1254, leaving two sons,

Crawf. Off. 8. 259.

Ibid. 468.

1. Sir *William.*

2. Sir *Thomas* de Maule, who, in 1303, was governor of the castle of Brechin, the only fortress that interrupted the course of the conquests of Edward I. He was a soldier of undaunted boldness and intrepidity, of great vigour and strength of body; and he made an obstinate resistance against the royal army of England. He was mortally wounded, and expired; and next day the garrison capitulated.

Dalr. Ann. I. 302.

VI. Sir William de Maule of Panmure, the eldest son, held the office of sheriff of Forfarshire at the death of Alexander III.; and swore fealty to King Edward I. at St Andrews, 10th July 1292. The relief of the lands belonging to him in

Carta penes Wishart of Logie. D. Prynne. Fœdera, II. 570.

Panmure.

Anderson's Dipl. 79.

Pones Com. de Panmure. D.

Crawf. Peer. 289.

Robertson's Index, 37.

Ibid. 59, 61.

Crawf. Off. St. App. 470.

Scotland was L. 122, 10s., but Edward, by mandate to his chancellor, engraved in Anderson's Diplomata, directed an abatement of L. 82, 10s. to be made; and accepted of L.40, which continued ever after to be the extent of the relief, payable at the entry of a heir of Panmure. Sir William Maule granted, in 1293, a charter of the lands of Benvie and Balruthrie, with the patronage of the church of Benvie, to Radulph de Dundee; and married Ethama, daughter of John Vaux, or De Vallibus, Lord of Dirletoun, by whom he had a son,

VII. Sir HENRY DE MAULE of PANMURE, who is documented by a charter of King Robert I., dated at Dundee, 14th April, in the 24th year of his reign, (1329), confirming that donation which William de Maule, knight, Lord of Panmure, had made to Radulph de Dundee, of the lands of Benvie and Balruthrie; and the ratification of the same by Henry de Maule, knight, son and heir of the said William, to John de Glassirth, son and heir of the said Radulph. He was knighted by Robert I., on account of his services; and married Margaret, daughter of Sir William Hay of Locherworth, by whom he had issue*,

1. Sir *Walter*.
2. *William*.
3. *Peter*, a dignitarian in the chapter of St Andrews, in the time of Bishop Lamberton, who died in 1328.

Daughter, *Christian*, married to Alexander Strachan of Carmylie, who obtained from Henry Maulea of Panmure, a charter of Carmylie, Moncur, and other lands, in the reign of David II.

VIII. Sir WALTER DE MAULE of PANMURE, the eldest son, was governor of the castle of Kildrummy, in the reign of David II. He gave a charter of the lands of Carnagie, in the barony of Panmure, to John Balinhard; and another of the lands of Balhousie, in Forfarshire, to John Mouypenny of Sconie, in the same reign. He likewise granted to the Bishop of Brechin, the chaplainry of Both, the lands of Carncorty, and two merks sterling out of the lands of Breckys; confirmed after his decease by David II., 20th November 1359. He died in 1348, leaving two sons,

1. Sir *William*.
2. *Henry*, first of the Maules of Glaster.

Panmure.

IX. Sir WILLIAM MAULE of PANMURE, the eldest son, married Marion, only child of David Fleming of Biggar, by Jean, daughter of Sir David Barclay of Brechin, by whom he had a son,

Sir *Thomas*;—and a daughter,

Janet, married to Alexander Auchterlony of Kelly, in Forfarshire. In the reign of King Robert III., William Maule of Panmure granted a charter to Alexander Auchterlony, and Janet Maule his wife, of the lands of Greenford, in the same county.

Robertson's Index, 137.

X. Sir THOMAS MAULE of PANMURE, the only son, was killed at the battle of Harlaw, 25th July 1411, fighting under the banner of the Earl of Marr, against Donald of the Isles. He married Elisabeth, daughter of Sir Andrew Gray of Foulis, by whom he had a posthumous son,

Crawf. Peer. 290.

XI. Sir THOMAS MAULE of PANMURE, who was served heir of his father, in 1412, notwithstanding of his nonage, in respect of an act of general council in favour of those whose predecessors fell in the King's service. Walter, Earl of Atholl, Caithness, and Strathern, just before his execution for the execrable murder of James I., in 1437, declared, that he possessed the lordship of Brechin only by courtesy, since the death of his wife, Elizabeth Barclay; and that Sir Thomas Maule of Panmure, the grandson of her aunt, Jean Barclay, was entitled thereto; but notwithstanding of this declaration, Sir Thomas got possession of only a small part of the extensive lordship of Brechin, which was annexed to the crown by act of parliament, 1437. He died in 1450, leaving, by Mary his wife, daughter of Sir Thomas Abercromby of Abercromby, a son,

Ibid.

XII. Sir THOMAS MAULE of PANMURE, who, in 1456, ratified to the abbey of Cupar, certain lands in the barony of Panmure, with a right to a fishing in the Easthaven thereof, (formerly given to that

Ibid.

* Among the missing charters of David II., is one, Jeanni Masculo, of the mill of Downy, in Forfarshire. Robertson's Index, 39.

Panmure.

abbey, by his predecessor, Sir Philip de Valonis,) for the welfare of the souls of himself, Elisabeth his wife, and Alexander, his son and heir. He likewise founded a chapel, dedicated to the Virgin Mary, at his house of Panmure, in 1487, and died in 1498. He married, first, Lady Elisabeth Lindsay, only daughter of Alexander, first Earl of Crawford, by whom he had a son,

Alexander;—and a daughter,

Elisabeth, married to Lindsay of Evelick.

He married, secondly, Catherine, daughter of Cramond of Auldbar; and had a charter, Thomæ Maule de Panmure, militi, and Catherine Cramond his wife, of part of the barony of Panmure, 12th August 1498.

Mag. Sig. L. xii. No. 73.

XIII. Alexander Maule, the eldest son, married Elisabeth, daughter of Sir David Guthrie of Guthrie, high-treasurer of Scotland, as appears from a charter of the lands of Dundee, Hathersbyke, &c. to Alexander Maule, son and heir apparent of Sir Thomas Maule of Panmure, and Elisabeth Guthrie his wife, dated 1468. He predeceased his father, leaving a son,

Hadd. Coll. 74. D.

XIV. Sir Thomas Maule of Panmure, who had a charter, Thomæ Maule, nepoti et hæredi apparenti Thomæ Maule, militis, and Elisabeth Rollock his spouse, of the barony of Panmure, on his father's resignation, 12th March 1490-1; also, under the same designation, a charter of Baliphane, in the same barony, 14th March 1497-8. He fell at the battle of Flodden, 9th September 1513. He married, first, Elisabeth, daughter and coheiress of Sir David Rollock of Ballachie, by whom he had issue,

Mag. Sig. L. xii. No. 215. L. xiii. No. 330.

1. *Robert*.

2. *William*, who married Janet, daughter of John Carnegie of Kinnaird, and was ancestor of the Maules of Boath.

Daughter, *Isabel*, married to Ramsay of Panbride.

He married, secondly, Christian, daughter of William, Lord Graham, relict of James Haldane of Gleneagles, without issue.

Crawf. Peer. 392.

XV. Robert Maule of Panmure, the eldest son, was served heir of his father, in 1514, being then of legitimate age, in virtue of an act of parliament in favour of those who fell in battle in the king's service. He joined the Earl of Lennox, in 1526, when he made an ineffectual attempt to rescue King James V. out of the hands of the Earls of Angus and Arran, for which he got a remission; and, in 1528, the king granted a dispensation, allowing him, for the true, good, and thankful service done to his majesty, to remain at home all his life, free from all hosts, attendance on parliament, justiciary, and chamberlainry. He had a charter to Robert Maule of Panmure, and Isabel Mercer his wife, of the lands of Panlethy, and Petairven, in Forfarshire, 25th February 1528-9. He opposed the match betwixt Queen Mary and Prince Edward, in 1543; was taken prisoner by the English, in his house of Panmure, which he gallantly defended till he was severely wounded, in 1547, and sent to the Tower of London, where he remained till, at the solicitation of the Marquis d'Elbœuf, he was released, and he returned to Scotland in 1549. He died 2d May 1560, and was buried at Panbride.

He married, first, Isabel, daughter of Sir Laurence Mercer of Aldie, in the county of Perth, by whom he had issue,

1. *Thomas*.

2. *John*.

3. *Robert*.

Daughter, *Margaret*, married to Halyburton of Piteur.

He married, secondly, Isabel, daughter of James Arbuthnott of Arbuthnott, relict of Auchterlony of Kellie, by whom he had three sons,

Mag. Sig. L. xxxii. No. 564.

1. *Henry*, who had a charter to Henry Maule, brother of Thomas Maule of Panmure, procreated betwixt the deceased Robert Maule of Panmure, father of the said Thomas, and the deceased Isabel Arbuthnott his wife, of some lands in the barony of Panmure, from the said Thomas, with remainder to Andrew and William, brothers-german of Henry, dated 18th September 1565. His son, Henry Maule of Melgum, was a learned antiquary, author of a History of the Picts, published after his death; and had a charter, Henrico filio Henrici Maule, of part of Seryne, and other lands in Forfarshire, 28th May 1589. Henry Maule, and Henry Maule, his son, had charters of half of Balgreggy, Struthers, &c. in Fife, 13th

L. xxxvii. No. 256. L. xxxviii. No. 264.

Panmure.

January 1591-2; and of Easter Innerpeffer, 28th December 1605.

2. *Andrew* Maule of Gourdie, who had a charter to Andrew Maule, brother of Thomas Maule, fiar of Panmure, and the heirs of his body, remainder to William and Henry, his brothers, of the lands of Skryne, 5th April 1558, from the said Thomas, with consent of his father, Robert Maule of Panmure. Andrew Maule of Gourdies, and Margaret Durham his wife, had a charter of part of the same lands, 30th January 1600.

Mag. Sig. No. 207. L. xiii. No. 126.

3. *William* Maule of Glaster, who left an opulent fortune among his seven daughters and co-heiresses: 1. Marion, married, 30th August 1598, to Sir Alexander Seton of Kilcroich in Stirlingshire, a lord of session, from 1626 to 1637; 2. Bethia, married to James Murray of Skirling; 3. Margaret, married to Sir Alexander Murray of Blackbarony; 4. Eleanor, married to Alexander Morrison of Prestongrange; 5. Jean, married to William Oliphant of Kirkhill; 6. Isabel, married, first, to James Dundas of Dudingston, secondly, to James Hamilton of Parkley; 7. Beatrix, married to Robert Burnet of Crimond.

Edin. Reg. Crawf. Peer. 393.

XVI. THOMAS MAULE of Panmure, the eldest son, went to France in 1538, with David Betoun, Abbot of Aberbrothock, afterwards Archbishop of St Andrews, ambassador to that court. He had a charter to Thomas Maule, son and heir apparent of Robert Maule of Panmure, of the barony of Panmure, about 1540. He granted a charter in April 1541, to Elisabeth Betoun, natural daughter of David, Archbishop of St Andrews, of the lands of Skryne; and an annualrent of 20 marks out of the barony of Panmure. He was taken prisoner in the engagement with the English, at Haddenrig, 25th August 1542, and sent to Morpeth, where he remained till after the death of James V., when he was released by orders of Henry VIII. He was engaged in the battle of Pinkie, 1547; joined the association on behalf of King James VI. 1567; and died on the 17th of March 1600.

Ibid. 393.

Mag. Sig. L. xxvii. No. 206, 259.

He married*, in 1547, Margaret, daughter of Sir George Halyburton of Pitcur, and had issue,

1. *Patrick.*
2. *William.*
3. *David.*

4. *Robert* Maule, commissary of St Andrews, a learned and judicious antiquary, who wrote several treatises with great judgment and knowledge, particularly Periodi gentis Scotorum, a history of his own family, and a tract on the antiquity of the Scotish nation. He had a charter to Robert Maule, brother-german of Patrick Maule of Panmure, of an annualrent out of the dominical lands of Panmure, 6th January 1602.

Crawf. Peer. 394.

Mag. Sig. L. xiiii. No. 54.

5. *Thomas* Maule of Pitlivie, who had a charter to Thomas Maule, legitimate son of Thomas Maule of Panmure, and Margaret Lichtoun his wife, of half of the lands of Ardouny in Forfarshire, 20th March 1594. By the said Margaret Lichtoun, daughter of the Laird of Ulishaven, he had two sons, Thomas and Robert, which last was gentleman of the privy-chamber to Charles I. Thomas, the eldest son, settled in Ireland, and was lieutenant-colonel of the Marquis of Ormond's regiment. He had two sons, William Maule, surveyor of the customs at Dublin; and Thomas Maule, one of the grooms of the bedchamber to Prince George of Denmark, and lieutenant of the yeomen of the guard in England. This family still subsists in the male line in Ireland; one of them, Henry Maule, Dean of Cloyne, was consecrated Bishop of Cloyne, 1720, translated to Dromore, 1731, and to Meath 1744; and died in 1758.

L. xl. No. 226.

6. *George.*
7. *James.*

Daughter, *Margaret*, married to James Stewart, son of John, Earl of Atholl.

XVII. PATRICK MAULE of Panmure, the eldest son, had a charter to Patrick Maule, son and heir apparent of Thomas Maule of Panmure, of the barony of Panmure, 10th August 1576. He succeeded his father, 1600; and died, 21st May 1605. By his wife, Margaret, daughter of John Erskine of Dun, superintendant of Angus and Mearns, he had a son,

L. xxxiv. No. 416.

Patrick;—and two daughters,

1. *Jean*, married to David Erskine of Dun.
2. *Barbara*, married to James Strachan of Carmylie.

* Crawford says he married, first, Lady Elisabeth Lindsay, daughter of David, Earl of Crawford, and refers to contract of marriage, penes Comitem de Panmure, ad annum 1926.

Panmure.

XVIII. PATRICK MAULE of Panmure, the only son, accompanied King James VI. into England, 1603; was appointed one of the gentlemen of his bedchamber; succeeded his father, 1605, and was served heir of him, 28th February 1609. He had a charter of the barony of Panmure, 7th March 1610, and of the teinds of the same, 15th June 1619; of the barony of Downy in Forfarshire, 5th March 1629. King Charles I. appointed him one of the gentlemen of his bedchamber, and keeper of the palace and park of Eltham, and constituted him sheriff of the county of Forfar. He had charters of the barony of Panmure, 1st December 1632; of the lordship and barony of Brechin and Navar, 15th October 1634, and of the barony of Balmakellie, to him and Henry his second son, 2d February 1635. He purchased from the Earl of Dysart the abbacy of Aberbrothock, with the right of patronage of no less than thirty-three parish churches, formerly belonging to that monastery; and he had a charter of the lordship and regality of Aberbrothock, 26th November 1642. Attending the king in the civil wars, he was engaged in all the battles fought by his majesty; and was created a peer, by the title of Earl of Panmure, Lord Maule of Brechin and Navar, to him and the heirs male of his body, 3d August 1646. His Lordship attended the king in his imprisonment at Holdenby and Carisbrook, never leaving him till he was compelled to do so by orders of parliament. By Cromwell's act of grace and pardon, the exorbitant fine of L. 10,000 sterling was imposed on the Earl of Panmure, and L. 2500 on his son Henry. His fine was mitigated to L. 4000, which he paid, 25th June 1653; besides L. 1000 for Henry, 29th September following. His Lordship died on the 22d December 1661, and was buried at Panbride.

Inq. Ret. fr. 224.

Mag. Sig. L. xlvi. No. 439. L. xlix. No. 172. L. lii. No. 139.

L. liv. No. 64. L. lv. No. 22, 56. L. lvi. No. 107. L. lvii. No. 230.

He married, first, Frances, daughter of Sir Edward Stanhope of Grimston, in the county of York, by whom he had issue,

1. *George*, second Earl of Panmure.

2. Hon. *Henry* Maule of Balmakellie, who had the command of a regiment, in the army raised for the rescue of King Charles I., 1648; was taken at Preston that year, but made his escape; commanded a regiment at the battle of Dunbar, in 1650; was fined L. 2500 by Cromwell's act of grace and pardon; and he was buried in the Abbey church of Holyroodhouse, 8th April 1667. He married, first, 9th August 1649, Lady Jean Wemyss, third daughter of John, first Earl of Wemyss, relict of Sir John Towers of Innerleith, by whom he had one daughter, Mary, who died, unmarried, at Panmure, in 1693; secondly, Margaret, daughter of Douglas of Spot, by whom he had a daughter, Margaret, married to Alexander Cochrane of Barbachlaw.

1. Lady *Jean*, married to David, second Earl of Northesk, and had issue.

2. Lady *Elisabeth*, married, first, to John, second Earl of Kinghorn; secondly, 30th July 1650, to George, third Earl of Linlithgow, and was mother of three Earls, Strathmore, Linlithgow, and Calendar; and died in October 1659.

He married, secondly, Mary Waldrum, one of the maids of honour of Henrietta, Queen of Charles I.; thirdly, Lady Mary Erskine, daughter of John, Earl of Marr, relict of William, sixth Earl Marischal, without surviving issue.

Panmure.

XIX. GEORGE, second Earl of PANMURE, was on his travels in France and Italy, when the civil wars broke out. When Charles II. came to Scotland, in 1650, he waited on his majesty; was constituted colonel of the Forfarshire regiment of horse; fought at their head at the battle of Dunbar, 3d September 1650, and at an engagement with the English at Inverkeithing, 20th July 1651, when he was wounded, and the other two field officers were killed. After the defeat of Worcester, the royalists repaired to him; but, finding he could do no service to the King's cause, he made his peace with General Monk, in 1652. He succeeded his father in 1661; was served heir of him, 1st April 1662, and 12th May 1663; and dying at Edinburgh, on the 24th of March 1671, was buried at Panbride. He married Lady Jean Campbell, eldest daughter of John, Earl of Loudoun, high-chancellor of Scotland, by whom he had nine children, of whom four sons and one daughter died young; the others were,

Inq. Ret. xxvi. 165. xxvii. 62.

1. *George*, third Earl of Panmure.

2. *James*, fourth Earl of Panmure.
3. Hon. *Harry* Maule of Kelly.

Daughter, Lady *Mary*, married, first, to Charles, Earl of Marr, and had issue; secondly, to Colonel John Erskine, son of Sir Charles Erskine of Alva.

XX. GEORGE, third Earl of PANMURE, the eldest son, was served heir male and of line of his father, 16th March 1671, was a privy-councillor to King Charles II. and James VII., and died 1st February 1686. He married Lady Jean Fleming, only child of John, fourth Earl of Wigton, and by her, who died in April 1683, had a son,

Inq. Ret. xxv. 197; 200.

George, Lord Maule, who was served heir of his mother, 27th May 1684, and died an infant before 9th May 1685, when his father was served heir of him.

xxxvii. 291. xxxviii. 39.

XX. JAMES, fourth Earl of PANMURE, in his younger years travelled abroad, served as a volunteer at the siege of Luxemburgh, where he eminently signalized his courage. He was designed of Balumby, when he succeeded his brother 1686, and he was served heir of him, 27th April that year. He was a privy-councillor to James VII., but was removed for opposing the abrogation of the penal laws against popery; however, at the convention of estates in 1689, he vigorously supported the interest of the abdicated monarch. When the crown was settled on King William and Queen Mary, the Earl of Panmure left the meeting, and never appeared again in the parliament of Scotland, as he would not take the oaths. He disapproved of the treaty of union; and, when the rebellion broke out in 1715, joined the standard of the Pretender; was taken at the battle of Sherriffmuir, 1715, but rescued by his brother Harry. He escaped abroad; was attainted of high treason by act of parliament, and his honours and estate, amounting to L. 3456 per annum, (the largest of the confiscated properties,) were forfeited to the crown. They were, at two different times, offered to be restored to him, provided he would return to his native land, and take the oath of allegiance to the house of Hanover, but he preferred following and sharing the misfortunes of him whom he looked upon as his legitimate prince, and died at Paris, 11th April 1723, in his 64th year, without issue by his wife, Lady Margaret Hamilton, third daughter of William and Anne, Duke and Duchess of Hamilton, who died at Edinburgh, 6th December 1731. An act was passed in 1717, to enable his Majesty to make such provision for, and settlement upon, the wife of James, late Earl of Panmure, as she would have been entitled to had her husband been naturally dead.

Ibid. 339.

XX. The Hon. HARRY MAULE of Kellie, youngest son of the second Earl of Panmure, in his youth travelled into foreign parts, and spent much of his time at the courts of England and France. He was a member of the convention of estates in 1689, and left the assembly when he found them determined to forfeit King James VII. He afterwards lived in a retired manner, spending much of his time in the study of the laws, history, and antiquities of his country; engaged in the rebellion 1715, and died at Edinburgh in June 1734. He married, first, 30th March 1695, Lady Mary Fleming, only daughter of William, fifth Earl of Wigton, by whom he had issue,

1. *George*, who died young.
2. *James*, who died, unmarried, 16th April 1729.
3. *William*.
1. *Henrietta*, died unmarried.
2. *Jean*, married, first, to George, Lord Ramsay, eldest son of William, sixth Earl of Dalhousie, and had issue; secondly, to John Strother Ker of Littledean, and died at Fowberry, 27th April 1769.

He married, secondly, Anne, second daughter of the Hon. Patrick Lindsay Crawford of Kilbirney, sister of John, first Viscount of Garnock, and by her had issue,

1. *Patrick*, died unmarried.
2. *John* Maule of Inverkeilor, who became a member of the Faculty of Advocates, 1725; was appointed keeper of the register of sasines, 1737; elected Member of Parliament for the boroughs of Aberbeen, &c. on a vacancy, 1739; rechosen at the general election, 1741, and again in 1747. Being appointed one of the barons of the Court of Exchequer in Scotland, a new writ was ordered, 13th May 1748. He died unmarried, 2d July 1781.

Panmure.

3. *Thomas*, died unmarried.
4. *David*, died unmarried.
5. *Charles*, died unmarried.

Daughter, *Margaret*, died unmarried.

XXI. William Maule, the only surviving son of the first marriage, born about 1700, succeeded his father 1734, was elected Member of Parliament for the county of Forfar, on a vacancy, 1735; was rechosen at every general election (1741, 1747, 1754, 1761, 1768, 1774, and 1780,) till his death, sitting in parliament 47 years. He was created a peer of Ireland, 6th April 1743, by the title of Earl of Panmure of Forth, and Viscount Maule of Whitechurch, the honours being limited to the heirs male of his body and those of his brother John. He purchased the estate of Panmure from the York-Buildings Company in 1764, for L.49,157, 18s. 4d., being the upset price. He had a company in the third regiment of foot-guards in 1737; served several campaigns in Flanders; was at the battles of Dettingen and Fontenoy, immediately after which last he was appointed second major of the third foot-guards, 1745. He had the command of the 25th regiment of foot, 1st December 1747; of the 21st, or Royal Scots Fuzileers, 29th April 1752; was second in command at Gibraltar, 1756; had the colonelcy of the second regiment of dragoons, or Royal Scots Greys, 10th November 1770; the rank of major-general in the army, 1755, lieutenant-general, 1758, and general, 1770. He died unmarried at Edinburgh, 4th January 1782, æta. 82, when his titles became extinct. He was tall and handsome in his person, considerably above the middle size; of great mildness, moderation, and humanity; extremely attentive to order and regularity in every department, both public and private; lived in a very temperate but elegant and splendid manner, and will long be remembered for his hospitality, benevolence, and charity. He enjoyed an uninterrupted flow of good health till within a few months of his death, and took constant and vigorous exercise, walking and riding alternately. In 1775, he executed a settlement of his great estates in favour of himself and his brother, John Maule, and his nephew, George, Earl of Dalhousie, in liferent, and the second and other sons of George, Earl of Dalhousie, in their order, in fee. This settlement was attempted to be impugned by Thomas Maule, lieutenant of invalids, heir male of the Panmure family, grandson of Henry Maule, Bishop of Meath; but the Court of Session, 1st March 1782, determined in favour of the Earl of Dalhousie, except as to certain long leases of Panmure and Brechin Parks, which were found to belong to Lieutenant Maule. George, Earl of Dalhousie, dying in 1787, the noble estates of the Panmure family devolved on his second son,

Panmure.

The Hon. William Ramsay, who thereupon assumed the name and arms of Maule of Panmure. He was born 27th October 1771; purchased a cornetcy in the 11th regiment of dragoons, 1789; afterwards raised an independent company of foot, which was disbanded, 1791. He was elected Member of Parliament for the county of Forfar, on a vacancy, 28th April 1796; a second time elected, on a vacancy, 25th June 1805; rechosen at the general elections 1806 and 1807, adopting the political principles of the late Right Honourable Charles James Fox, and steadily supporting them in Parliament, and on all occasions. He married, 1st December 1794, Patricia Heron Gordon, daughter of Gilbert Gordon of Halleaths, and has issue,

1. *Patricia.*
2. *Elisabeth.*
3. *Mary.*
4. *Lucy*, who died 17th February 1806.
5. *Fox.*
6. *Georgina.*
7. *Ramsay.*
8. *Christian.*
9. *Lauderdale.*
10. *William Maule.*

Arms.—Quarterly: 1st and 4th, Party per pale, argent and gules, on a border, eight escallops, all counterchanged, for Maule. 2. Argent, three pallets, wavy, gules, for De Valoniis. 3. Quarterly; 1st and 4th, Azure, a chevron between three crosses, pattee, Or, for Barclay of Brechin. 2d and 3d, Argent, three piles, issuing from the chief, conjoined by the points, gules, for Wishart of Brechin.

Panmure.

CREST.—On a wreath, a wyvern, vert, spouting fire before and behind.

SUPPORTERS.—Two grey-hounds, proper, each gorged with a collar, gules, charged with three escallops, argent.

MOTTO.—*Clementia et animis.*

Panmure.

CHIEF SEATS.—Brechin Castle and Panmure House, in the county of Forfar.

DRUMMOND, EARL OF PERTH.

Perth.

THE first of this antient family who settled in Scotland, is said to have been Maurice, a Hungarian, who accompanied Edgar Atheling, and his sister Margaret, to Scotland, and obtained from King Malcolm III. the lands of Drymen in Stirlingshire which gave name to his posterity, Roseneath, Cardros, and Auchindown, in Dunbartonshire. The King also constituted him seneschal or steward of Lennox, and assigned to him, for his armorial bearing, three bars, wavy, or undy, gules, in allusion to his having been the conductor of Margaret through the sea to Scotland. From him descended

I. Sir MALCOLM DRUMMOND, who flourished in the reign of William I., and left two sons,

1. *Malcolm* Beg Drummond.

2. *Roderick* Drummond, who, in an inquisition on the division of some lands in Dunbartonshire, is designed brother of Malcolm Beg, in 1234.

Chartul. of Lennox, 117. D.

II. MALCOLM DRUMMOND, the eldest son, on account of his low stature, was called Beg, signifying in the Gaelic short. A charter of Maldwin, Earl of Lennox, to Humphry de Kilpatrick, of the lands of Colquhoun, in 1225, is witnessed by Walter, high-steward of Scotland, and Malcolm Beg Drummond, designed by the Earl, camerarius meus. He was proprietor of the lands of Kincarn, which he disposed of in 1234, as appears from an inquisition which his brother Roderick witnessed. A charter of Earl Maldwin, giving the church lands of Kirkpatrick to the monastery of Paisley in 1238, is witnessed by Amalec, the Earl's brother, and Malcolm Beg Drummond. He also witnessed another donation by the same Earl, of the church of Roseneath to the same monastery, along with Walter, son of Alan, high-steward of Scotland, confirmed by Alexander II., and a donation by the same Earl to the monastery of Arbroath, also confirmed by Alexander II. He died before 1260, leaving, by Ada his wife, daughter of Maldwin, third Earl of Lennox, two sons,

Ibid. 80, 107, 2, 8, 97. D.

Perth.

1. *Malcolm.*

2. *John*, who witnessed a charter of Maldwin, Earl of Lennox, Donaldo, filio Macynel, wherein he is designed son of Malcolm Beg.

Book of Original Writs, Macf. I. 58. D.

III. MALCOLM DRUMMOND, the eldest son, in a charter of Malcolm, fourth Earl of Lennox, 1260, is designed son of Malcolm Beg Drummond, and steward of Lennox. He witnessed a donation of Earl Malcolm to the monastery of Paisley, dated at Renfrew 1273, also several other charters and donations of the same Earl in 1274 and 1275. He had three sons,

Chartul. of Lennox, 3, 72, 73, &c. D.

1. *John.*

2. *Gilbert* de Drummond, mentioned in several charters of the Earl of Lennox, wherein he is designed son of Malcolm, betwixt 1280 and 1290. Gilbert de Dromund, del Counte de Dunbretan, swore fealty to Edward I. 1296; obtained from

Ibid. 35, 36, 54. D. Prynne, III. 657. Carta penes Gleneagles. D.

Perth.

his father the barony of Balquhople and other lands; and had a son, Malcolm de Drummond, who also swore fealty to Edward in 1296, and was father of Bryce Drummond, killed in 1330 by the Menteths.

Frechairn's History. D.

3. *Thomas*, who got from his father the lands of Balfron in Perthshire, and made a donation of the patronage of the church of that place to the abbey of Inchaffray, confirmed by the Pope's bull in 1305.

IV. Sir JOHN DRUMMOND, the eldest son, is, in many writs, designed filius Malcolmi. He swore fealty to King Edward I. in 1296; was carried prisoner to England the same year, and confined in the castle of Wisbeach, but was released on condition of serving Edward against the French in 1297. He married a daughter of Walter, Earl of Menteth, [qu.?] by whom he had issue,

Fœdera, II. 782. Dale. Ann. I. 273.

1. Sir *Malcolm*.

2. *Gilbert*, mentioned in a ratification by Malcolm, fifth Earl of Lennox, of the lands and church of Kilpatrick, 1330.

Chartul. Lennox, 192.

3. *Walter* Drummond, clericus domini regis, one of the commissioners to treat with the English 1323.

Fœdera. D.

1. *Christian*.

2. *Margaret*. A charter of the lands of Ardcurane was granted by Malcolm, fourth Earl of Lennox, in 1290, Christianæ et Margaretæ de Drummond, filiabus Joannis de Drummond.

Chartul. Lennox, 80. D.

V. Sir MALCOLM DRUMMOND, the eldest son, was a person of so great importance, that King Edward I., on the 25th of August 1301, offered oblations at the shrine of St Kentigern, in the cathedral of Glasgow, for the good news of Sir Malcolm de Drummond, knight, a Scot, being taken prisoner by Sir John Segrave. Adhering to King Robert I., he obtained from that prince in 1315, not long after the battle of Bannockburn, for his good and faithful services, a grant of several lands in Perthshire; and it is conjectured that the caltrops were then added by way of compartment to his arms, as they were used in that memorable action with great success against the English horse, possibly under his direction. The next year, 1316,

Caledonia, I. 667.

Carta in Arch. Fam. D.

Malcolm Fleming got a charter from Robert I. of the lands of Achyndonan in the Levenax, which Malcolm de Drummond coram magnatibus nostris nobis resignavit. He married a daughter of Sir Patrick Graham of Kincardine, by whom he had a son,

Perth. Reg. Mag. Sig. 19.

VI. Sir MALCOLM DRUMMOND, who adhering to King David II., a grant of several lands belonging to him was made by Edward III. to Sir John Clinton in 1334. Sir Malcolm Drummond had a charter from Malise, Earl of Strathern, of the lands of Culquhalie, in the earldom of Strathern, wherein he is designed Malcolm, son of Malcolm Drummond. Malcolm Drummond had from King David II. a confirmation of the lands of Tulliecravan and Dronan, and of the coronership in Perthshire. Sir Malcolm Drummond, who died about 1346, had three sons,

Dugdale Bar.

Robertson's Index, 37, 39.

1. Sir *John*.

2. Sir *Maurice*, ancestor of the Drummonds of Concraig, Milnab, Lennoch, Broich, Balloch, Pitkellony, Calquhalzie, Megginch, &c.

3. *Walter*, who had a charter from King David II. wherein he is designed nostrorum rotulorum registro, et a consiliis.

VII. Sir JOHN DRUMMOND, the eldest son, was involved in a long and fatal feud with the family of Menteth, which was at last settled by command of David II., by reference to Robert, Earl of Strathern, the Earls of Douglas and Angus, Sir Walter Murray of Tullibardine, Sir Archibald Campbell of Lochow, and Sir Colin his son, who met on the banks of the Forth, in presence of Sir Robert Erskine and Sir Hugh Eglintoun, justiciaries of Scotland, 1st May 1360. An indenture was in consequence entered into between the parties, by which Sir John Drummond gave up several of his estates in Dunbartonshire, on a promise from the King of being assigned property of a greater value in Perthshire*.

In Arch. Fam. D.

* King Robert II. confirmed by royal charter, dated 30th March 1372, a grant which the deceased Mary, Countess of Menteth, had made in her widowhood to the deceased John de Dromond, of the lands of Rossneth, in the earldom of Levenax, and the grant which the same John de Dromond had made of these

Perth.

He married Mary, eldest daughter and coheiress of Sir William de Montefex, with whom he got the lands and baronies of Stobhall, Cargill, Auchterarder, Kinecardine, &c. He obtained from David II. charters of all the lands which belonged to Marie Montefixo, and of the office of baillierie of Abthain of Dull, in Atholl. By her he had issue,

Robertson's Index, 37, 46.

1. Sir *Malcolm*.

2. Sir *John*.

3. *William*, who married Elisabeth, one of the daughters and coheiresses of Airth of Airth, with whom he got the lands of Carnock; and from him the Drummonds of Carnock, Meidhope, Hawthornden, and other families of that name, are descended.

4. *Dougal*, who was Bishop of Dunblane about 1398, but died soon after consecration.

1. *Annabella*, married, in 1357, to John, eldest son of the high-steward of Scotland; her husband succeeded to the throne by the stile of Robert III. in 1390; and his Queen, famed for beauty, sense, spirit, and generosity, died in 1401, leaving two surviving children, David, Duke of Rothsay; and King James I.

2. *Margaret*, married to Sir Colin Campbell of Lochow.

3. *Jean*, married to Stewart of Doually.

4. *Mary*, married to Macdonald of the Isles.

VIII. Sir MALCOLM DRUMMOND, the eldest son, had 400 francs for his share of the 40,000 sent from France, to be distributed among the principal men in Scotland in 1385, being designed in the acquittance Matorme de Dromod. He was at the battle of Otterburn, 1388, when James, Earl of Douglas and Marr, his brother-in-law, was killed; and on that event he succeeded to the earldom of Marr, in right of his wife, Lady Isabel Douglas. Robert III. granted a charter to Malcolm Drummond, Earl of Marr, his Majesty's brother, of a pension of L.20 money furth of Inverness, in satisfaction of the third part of the ransom of Sir Randolph Percy, which exceeded L.600. The same Prince, on the 20th March 1391,

Fœdera, VII. 685.

Robertson's Index, 138.

lands to Sir Alexander de Menteth, knight. Reg. Mag. Sig. 113.

confirmed a grant by his brother Malcolm Drummond, to Sir John de Swyntoun, knight, of 200 merks sterling, of annual pension, during the life of the said John. Malcolm Drummond, Dominus de Marr, witnessed a charter of Robert III. in 1398. He was suddenly surprised by a band of ruffians, and imprisoned, till he died in consequence of his severe captivity, 1403. By his wife, Isabel, Countess of Marr, only daughter of William, first Earl of Douglas, he had no issue, and was succeeded by his brother,

Perth.

Reg. Mag. Sig. 198.

Pinkerton, I. 76.

VIII. Sir JOHN DRUMMOND of Cargill and Stobhall, who held the office of justiciary of Scotland, and in that capacity, at Foulis, 10th May 1391, assoilzied Sir Alexander Moray of Abercairny and Ogilvy, from the murder of one Spalding, on account of his pleading the privilege of being allied to Macduff, Earl of Fife. Sir John Dromond of Cargill, knight, granted the lands of Uchtertyre, in the barony of Kincardine, in Stirlingshire, to John Forrester of Corstorphine, knight, and Margaret, his wife, which grant was confirmed by Robert, Duke of Albany, 13th March 1407. He had a safe conduct into England, to meet his nephew King James I. at Durham, 13th December 1423, and died in 1428. He married Lady Elisabeth Sinclair, eldest daughter of Henry, Earl of Orkney, by whom he had issue,

Carta penes Abercairny. D.

Reg. Mag. Sig. 232.

Fœdera, X. 809.

1. Sir *Walter*.

2. *Robert*, who is said to have married Barbara, daughter and heiress of Sir John Moubray of Barnbougle, and to have in consequence changed his name to Moubray; but this appears erroneous.

3. *John*, who is said to have settled in Madeira, and to have been progenitor of several considerable families abroad.

1. *Elisabeth*, married to Kinnaird of Kinnaird.

2. ———, married to John Lockhart of Bar.

Margaret, married to John Robertson of Lude, charter 15th August 1452.

IX. Sir WALTER DRUMMOND of Cargill and Stobhall, the eldest son, was knighted by King James II., and died in 1455, leaving, by his wife Margaret, daughter of

Perth.

Sir William Ruthven of Ruthven, three sons,

1. Sir *Malcolm*.

2. *John* Drummond, dean of Dunblane.

3. *Walter* Drummond of Ledcrieff, from whom the Drummonds of Blair, Gairdrum, Newton, George Drummond provost of Edinburgh the public spirited founder of the Royal Infirmary of that city, and other families of that name, are descended.

X. Sir MALCOLM DRUMMOND of Cargill and Stobhall, the eldest son, had great possessions in the counties of Dunbarton, Perth, and Stirling, and died in 1470. He married in 1445, Mariot, eldest daughter of Sir David Murray of Tullibardine, and by her had six sons,

Indenture penes D. Atholl. D.

1. Sir *John*.

2. *Walter* Drummond of Deanston, a man of great ability, who was first rector of St Andrew's, then chancellor of Dunkeld, afterwards dean of Dunblane, and at last clerk-register of Scotland, to which he was appointed by King James IV.

3. *James*, ancestor of the Drummonds of Crieffvechter, Kildees, Strageath, Croftnappock, and other families of that name.

4. *Thomas*, from whom the Drummonds of Innermay, Cultmalindie, Comrie, Drummondernoch, Drummawhance, and other families of that name, are descended.

5. *William* Drummond of Muthil.

6. *Andrew* Drummond, vicar of Strageath.

XI. Sir JOHN DRUMMOND of Cargill and Stobhall, the eldest son, sat in Parliament 6th May 1471, under the designation of Dominus de Stobhall. He had a charter, 20th March 1473-4, of the offices of seneschal, and coroner of the earldom of Strathern, together with the custody of North Cathken, and the common of Ottermichell, and of the forests, and office of forester of the said earldom, on the resignation of Maurice Drummond. He had another charter of the lands of Auchterarder and Camschenys, in Perthshire; Argeth, and Smethistoun, in Forfarshire, to him and Elisabeth Lindsay, his wife, dated 3d February 1483-4. He was one of the ambassadors to treat with the English, to whom a safe conduct was granted, 29th November 1483, under the designation of John de Drummond de Cargyll; again, 6th August 1484, being then designed John de Drummond, Dominus de Stobhall, to treat of the marriage of James, Prince of Scotland, and Anne de la Pole, niece of Richard III. He was a commissioner for settling border differences, nominated by the treaty of Nottingham, 22d September 1484. John de Druummonde de Cargyll, had a safe conduct into England, 29th November 1484. He was created a peer, by the title of Lord Drummond, 29th January 1487-8, when Joannis Drummond de Cargill effectus fuit dominus parliamenti, et in futurum nominandus Dominus Drummond. He joined the party against King James III. in 1488, and sat in the first parliament of King James IV., 6th October 1488. He suppressed the insurrection of the Earl of Lennox, whom he surprised and defeated at Tillymoss in 1489. He was a privy-councillor to James IV., and justiciary of Scotland; had a safe conduct, as one of the ambassadors to treat with the English, 22d May 1495, 26th June 1511, and 24th January 1513. He held the office of constable of the castle of Stirling; was committed a close prisoner to Blackness Castle, 16th July 1515, by orders of the Regent Duke of Albany, upon an allegation, that he had struck the lion herald on the breast, when he brought a message to the Queen Dowager from the lords of Albany's party. The Queen stated, that the herald had behaved with insolence. Lord Drummond was released from prison, freed from his forfeiture 22d November 1516, and died in 1519. He occurs frequently in the great seal register. He had a charter of Classingallis, in Strathern, 8th August 1485. John, Lord Drummond, and Sir William Drummond, his son, witnessed a charter, 16th August 1488. John, Lord Drummond, had charters of Dalhouizie, in Strathern, 1493; of the barony of Drummond 1496 and 1498; of Strathbrawn, Auchinvaird, Glenshee, and Dunbulles, 1500; of Wester Petlour, in Fife, 1501; of Innerpeffry, 1503; of Forneth in 1504; and of Bordland, Strogeith, Auchinglen, and other lands in Strathern, in 1509 and 1510. He made a mortification to the church of Innerpeffry, 3d February 1506-7.

Rec. Parl. 160.

Mag. Sig. L. vii. No. 264. L. x. No. 60.

Perth.

Fœdera, XII. 207, 230, 246, 251.

Rec. Parl. 325.

Pinkerton, II. 8.

Fœdera, XII. 571. XIII. 305, 346. Pinkerton, II. 137, 165.

Mag. Sig. L. xxvi. No. 260. L. x. No. 151. L. xii. No. 30. L. xiii. No. 51, 172, 293, 378, 408. L. xiv. No. 23, 30, 132, 282. L. xv. No. 80. L. xvi. No. 3.

Perth.

He married Lady Elisabeth Lindsay, daughter of David, Duke of Montrose, and by her had issue,

1. *Malcolm*, who died before his father, unmarried.

2. *William*.

3. Sir *John* Drummond, who got from his father the lands of Innerpeffry, and had two sons, John Drummond of Innerpeffry; and Henry, ancestor of the Drummonds of Riccartoun. John Drummond of Innerpeffry, the eldest son, married Margaret Stewart, natural daughter of King James IV., relict of John, Lord Gordon, eldest son of Alexander, third Earl of Huntly. John Drummond of Innerpeffry, and Margaret Stewart, Lady Gordon, his wife, had a charter of lands in Strathern, 28th July 1532. They had several other charters, in one of which she is designed the King's sister. Margaret Stewart, Lady Gordon, natural daughter of James IV., King of Scotland, was legitimated by letter under the great seal, 1st February 1558-9. Margaret Drummond, legitimate daughter of John Drummond of Innerpeffry and Margaret Stewart Lady Gordon, had a charter, in her virginity, to her and Robert Elphinston, eldest son of Alexander, Lord Elphinston, 3d September 1546, of lands in Aberdeenshire. Isabel, another of their daughters, had a charter from Hugh Campbell of Loudoun, of part of the barony of Martnane, in Ayrshire, 25th September 1546. Agnes, a third daughter, had a charter from the same, of part of the barony of Loudoun, of same date. Of the five daughters and coheiresses of Sir John Drummond of Innerpeffry, Agnes married, first, Sir Hugh Campbell of Loudoun, secondly, in 1562, Hugh, second Earl of Eglintoun, thirdly, in 1588, Patrick, third Lord Drummond. Isabel married Sir Matthew Campbell of Loudoun, son of Sir Hugh by a former marriage. Margaret married Robert, Lord Elphinston. Janet married James Chisholm of Cromlix; they had a charter of several lands from her father and mother, 1st February 1558-9. Elisabeth married, in 1559, Malcolm Drummond of Bordland.

Mag. Sig. L. xxiv. No. 127, 130, 203, 240. L. xxv. No. 213, 238, 319, 334.

L. xxxii. No. 271.

L. xxiv. No. 384. L. xxx. No. 57, 58.

L. xxxi. No. 303.

1. *Margaret*, mother, by King James IV., of Margaret Stewart, married, first, to John, Lord Gordon, secondly, to Sir John Drummond of Innerpeffry. Margaret Drummond was poisoned in 1501, along with her sisters Lady Fleming and Sibylla, and they were buried in a vault, covered with three fair blue marble stones, in the middle of the choir of the cathedral of Dunblane.

Perth.

2. *Elisabeth*, married to George, Master of Angus, killed at Flodden 1513, and was mother of Archibald, sixth Earl of Angus, grandmother of Margaret, Countess of Lennox, and great-grandmother of Lord Darnley, father of King James VI.

3. *Beatrix*, married to James, first Earl of Arran, and had one daughter.

4. *Annabella*, married to William, first Earl of Montrose, and had issue.

5. *Eupheme*, married to John, fourth Lord Fleming, and had issue.

6. *Sibylla*, died unmarried in 1501.

XII. William, Master of Drummond, the eldest surviving son, had a charter to William Drummond, son and heir apparent of John, Lord Drummond, and Mariot Forrester his wife, of part of the barony of Kincardine in Menteth, 21st March 1502-3. Having a feud with the Murrays, and being informed that they were levying teinds on his lands in the parish of Monyvaird, he went, along with Duncan Campbell of Dunstaffnage and their followers, to oppose them. The Murrays retired to the church of Monyvaird; Drummond and his party were marching off, when a shot from the church killed one of the Dunstaffnage men; this so enraged the Highlanders, that they returned and set fire to the sacred edifice, which was soon consumed, and all within it burnt to death. The Master of Drummond was apprehended, and sent prisoner to Stirling, where he was tried, convicted, and executed, in 1511. He married, first, Lady Isabel Campbell, second daughter of Colin, first Earl of Argyll; secondly, Mariot Forrester, and had by the first two sons,

Mag. Sig. L. xiv. No. 50.

1. *Walter*.

2. *Andrew*, ancestor of the Drummonds of Bellyclone.

XIII. Walter, Master of Drummond, the eldest son, died in 1518. He married Lady Elisabeth Graham, second

Perth.

daughter of William, first Earl of Montrose, by whom he had a son,

In Arch. Fam. D.

XIV. DAVID, second Lord DRUMMOND, who was served heir of his great-grandfather John, Lord Drummond, 17th February 1520. He obtained a ratification under the great seal, 8th June 1537, of the remission and restitution of his said great-grandfather, by John, Duke of Albany, in parliament, at Edinburgh, 22d November 1516. He had charters to David, Lord Drummond, of Ouchterardour, Drummen, Kincardine, &c. united into the barony of Drummen, 8th January 1538-9; of the barony of Kincardine, to him and Margaret Stewart his wife, 4th June 1539; of Ouchterardour, Drummen, Stragcith, Kincardine, Ouchtertyre, Cargill, Stobhall, Smythston, Argarth, and Laidcrieff, in Perthshire, all united into the barony of Drummond, to himself and the heirs male of his body; remainder to John Drummond of Innerpeffry, Andrew Drummond of Bellyclone, Henry Drummond of Rickarton, William Drummond of Smithstoun, and the heirs male of their bodies respectively; remainder to his nearest heirs whatsoever, 25th October 1542; of the barony of Cargill to himself and Lilias Ruthven his wife, 7th December 1543; of Ouchterardour, 4th May 1553; of Auchlesky, 8th January 1558-9, and 8th December 1563, to him and Lilias Ruthven his wife. Lord Drummond joined the association on behalf of Queen Mary, at Hamilton, 8th May 1568, and died in 1571. He married, first, Margaret Stewart, daughter of Alexander, Bishop of Murray, son of Alexander, Duke of Albany, second son of James II., and by her had a daughter,

Mag. Sig. L. xxvi. No. 209, 260, 268. L. xxviii. No. 362. L. xxix. No. 315. L. xxxi. No. 231, 458. L. xxxii. No. 499.

Sibylla, married to Sir Gilbert Ogilvy of Ogilvy, from whom she had a charter, in her virginity, of part of the barony of Ogilvy, 19th June 1557.

L. xxxii. No. 283.

He married, secondly, Lilias, eldest daughter of William, second Lord Ruthven, and by her had issue,

1. *Patrick*, third Lord Drummond.

2. *James*, Lord Maderty, ancestor of the Viscounts of Strathallan.

1. *Jean*, married to John, fourth Earl of Montrose, high-chancellor of Scotland.

2. *Anne*, married to John, seventh Earl of Marr, high-treasurer of Scotland.

Perth.

3. *Lilias*, married to David, Master of Crawford.

4. *Catherine*, married to John, first Earl of Tullibardine.

5. *Mary*, married to Sir James Stirling of Kier. All had issue.

XV. PATRICK, third Lord DRUMMOND, the eldest son, succeeded his father 1571; embraced the reformed religion; had a charter of the lands of Port, with the island called Moral, 6th April 1581; and died before 1600. He married, first, Lady Elisabeth Lindsay, daughter of David, eighth Earl of Crawford, and had issue,

Mag. Sig. L. xxxv. No. 474.

1. *James*, fourth Lord Drummond.

2. *John*, second Earl of Perth.

1. *Catherine*, married to James, Master of Rothes, from whom she had a charter of the dominical lands of Lesly, 25th July 1598, and was mother of John, sixth Earl of Rothes.

L. xii. No. 362.

2. *Lilias*, married to Alexander, first Earl of Dunfermline, high-chancellor of Scotland, and had four daughters.

3. *Jean*, married to Robert, first Earl of Roxburghe, and had a son, Hary, Lord Ker.

4. *Elisabeth*, married to Alexander, fifth Lord Elphinston, and had issue.

5. *Anne*, married, first, to Patrick Barclay of Towie; secondly, to Andrew Fraser of Murthil.

He married, secondly, Agnes, one of the five daughters and coheiresses of Sir John Drummond of Innerpeffry, relict of Sir Hugh Campbell of Loudoun, and Hugh, third Earl of Eglintoun, without issue.

XVI. JAMES, fourth Lord DRUMMOND, the eldest son, succeeded his father; passed a considerable time in France; distinguished himself at the court of James VI.; attended the Earl of Nottingham, high-admiral of England, on his embassy to the court of Spain, and, on his return home, was created Earl of Perth, by patent, dated 4th March 1605, to him and his heirs male whatsoever. Dying on the 18th of December 1611, he was buried in the chapel of Seton, where is a

Perth.

monument to his memory. He married Lady Isabel Seton, only daughter of Robert, first Earl of Wintoun, and by her, who married, secondly, Francis Stewart, son of Francis, Earl of Bothwell, had a daughter,

Inq. Ret. viii. 115. xii. 8.

Lady *Jane*, who was served heir of line of her father, 6th February 1613, and heir in special of him in the lands of Kilvallach in Atholl, 23d May 1632; she married, 19th February 1632, John, thirteenth Earl of Sutherland, was mother of the fourteenth Earl, and died 29th December 1638.

Mag. Sig. L. xlviii. No. 97. L. xlix. No. 271. L. iv. No. 353.

XVI. John, second Earl of Perth, succeeded his brother in title and estates 1611; had charters of the temple lands of Kinbukkis, 23d November 1615; of Concraig, 20th July 1620, and of Campsie, 15th July 1637. He was a nobleman of learning, probity, and integrity, of unshaken loyalty to the King, benevolent to his friends, prudent and economical in the management of his affairs, and just in all his dealings. He joined the association on behalf of King Charles I. at Cumbernauld, 1641; was fined, along with his son Lord Drummond, in the sum of L.5000 by Cromwell's act of grace and pardon, 1654; and died 11th June 1662.

He married Lady Jean Ker, eldest daughter of Robert, first Earl of Roxburghe, by whom he had issue,

1. *Henry*, Lord Drummond, who died in infancy.

2. *James*, third Earl of Perth.

3. Hon. *Robert* Drummond, who had a charter to Robert Drummond, legitimate son of John, Earl of Perth, of the lands of Auchinelliot in Perthshire, 19th April 1620. He appears to have died young.

L. xlix. No. 350.

4. Hon. Sir *John* Drummond of Logiealmond, ancestor of the Right Hon. Sir William Drummond of Logiealmond, knight of the crescent, well known in the literary and political world. Thomas Drummond of Logicalmond was served heir of Sir John Drummond of Logicalmond, knight, his father, 12th December 1678.

Inq. Ret. xxxiv. 92.

5. *William*, second Earl of Roxburghe; see that title.

1. Lady *Jane*, married to John, third Earl of Wigton, and had issue.

2. Lady *Lilias*, married to James, Earl of Tullibardine.

Perth.

XVII. James, third Earl of Perth, the eldest surviving son, entered, with his father, into the association on behalf of Charles I. at Cumbernauld in 1641, joined Montrose in August 1645, and was taken prisoner at the battle of Philiphaugh, 13th September same year. He succeeded his father, was served heir male of him in his property in the counties of Perth and Forfar, 23d September 1662, and in general of him on the 29th of the same month, and died 2d June 1675. He married, in 1639, Lady Anne Gordon, eldest daughter of George, second Marquis of Huntly; and by her, who died 9th January 1656, and was buried at Innerpeffry, had issue,

Inq. Ret. xxvi. 298, 299.

1. *James*, fourth Earl of Perth.

2. *John*, Earl of Melfort.

Daughter, Lady *Anne*, born in January 1656, married to John, twelfth Earl of Errol, and had issue.

Crawf. Off. St. 235.

Inq. Ret. xxxii. 184, 312.

XVIII. James, fourth Earl of Perth, the eldest son, born 1648, went through a course of philosophy at the university of St Andrews, and afterwards visited France. He was served heir male of his father, 1st October 1675; was sworn a privy-councillor 1678; joined in the opposition to the Duke of Lauderdale, after whose fall he was constituted justice-general of Scotland in May 1682, and appointed one of the extraordinary lords of session, 16th November same year. He was promoted to the high office of chancellor of Scotland by commission dated 23d June 1684, and appointed sheriff-principal of the county of Edinburgh, 16th July 1684. On the accession of King James VII. his Lordship was continued in all his places; had the chief administration of affairs, and declared himself a Roman Catholic. When the order of the Thistle was revived in 1687, the Earl of Perth was invested therewith; and the same year he made a resignation of the earldom of Perth, and his whole estate, with the heritable offices of steward, coroner, and forester of Strathern, Glenartney, and Balquhidder, in favour of his son and his heirs male. When James abdicated Britain in December 1688,

Perth.

the Earl of Perth retired from Edinburgh, his lodgings were plundered by the populace, and he embarked in a vessel at Burntisland for France. A long-boat from Kirkaldy, full of armed men, pursued it, and overtaking the vessel near the mouth of the Forth, stripped the Earl of all he had, and threw him into the common prison of Kirkaldy, where he lay till he was removed to Stirling Castle. He was confined in that garrison till the privy-council, by warrants of 28th June 1693 and 4th August following, allowed him to be liberated, on his bond to leave the kingdom under penalty of L. 5000. He went abroad, and proceeded to Rome, where he resided two years. James VII. sent for him to St Germains, created him Duke of Perth, invested him with the order of the Garter, and appointed him first lord of his bed-chamber, chamberlain to the Queen, and governor to the Prince of Wales. Dying at St Germains, 11th March 1716, in his 58th year, he was buried in the chapel of the Scots College at Paris. According to a contemporary, he was passionately proud; told a story very prettily; was of a middle stature, with a quick look, and brown complexion. The titles of Earl of Perth and Lord Drummond became dormant at his death, his eldest son being attainted.

Macky, 241.

His Lordship married, first, 18th January 1670, Lady Jane Douglas, fourth daughter of the second marriage of William, first Marquis of Douglas, and by her had a son,

Lamont's Annals, MS.

James, Lord Drummond;—and two daughters,

1. Lady *Mary*, married to William, ninth Earl Marischal, and had issue.

2. Lady *Anne*, died unmarried.

He married, secondly, Lilias, daughter of Sir James Drummond of Machany, relict of William, fifth Earl of Tullibardine, and by her had issue,

1. Hon. *John* Drummond, stiled Lord John Drummond, who, on the death of his nephew, 1747, assumed the title of Duke of Perth; and dying without issue at Edinburgh, 27th October 1757, was buried in the abbey church of Holyrood-house. He married, first, the heiress of Ballegarno; secondly, Lady Mary Stewart, third daughter of Charles, fourth Earl of Traquair, without issue. The latter had the stile of Duchess of Perth, and died at Edinburgh, 4th February 1773.

2. Hon. *Charles* Drummond, died without issue.

3. Hon. *George* Drummond, died young.

Daughter, Lady *Sophia*, died young.

He married, thirdly, Lady Mary Gordon, second daughter of Lewis, third Marquis of Huntly. She was widow of Adam Urquhart of Meldrum, to whom she was married in 1667, and he died 10th November 1684; she died at St Germains in March 1726, æta. 80, having had by the Duke of Perth,

1. Hon. *Edward* Drummond, stiled Lord Edward Drummond, who, on the death of his brother John, in 1757, assumed the title of Duke of Perth; he spent almost all his life in France in literary retirement, and devoted to religious duties, and died at Paris, 7th February 1760. He married Lady Elisabeth Middleton, eldest daughter of Charles, second Earl of Middleton; but by her, who survived him, had no issue.

2. Hon. *William* Drummond, who died young at St Germains.

Daughter, Lady *Teresa*, who died unmarried, having entered into a nunnery.

XIX. James, Lord Drummond, the eldest son, attended King James VII. in his expedition to Ireland, 1690, after which he returned to Scotland. He engaged in the rebellion 1715, and was attainted by act of parliament; but the estate was saved in consequence of his having executed a disposition thereof, 28th August 1713, in favour of his son, which was sustained by the Court of Session, 1719, and affirmed by the House of Lords, 1720. He escaped to France in 1716 in the same vessel with the Pretender; and on his father's death that year, assumed the title of Duke of Perth. Dying at Paris in 1730, he was buried in the chapel of the Scots College there. He married, contract dated 5th August 1706, Lady Jean Gordon, only daughter of George, first Duke of Gordon. For her support of the rebels she was committed prisoner to Edinburgh Castle, 11th February 1746, and liberated on bail 17th November 1749; and she died at Stobhall,

Perth.

30th January 1773, aged about ninety. Their issue were,

1. *James.*

2. *John*, stiled Lord John Drummond, who was educated at Douay, and entered into the service of the King of France, for whom he raised a regiment called the Royal Scots, of which he was constituted colonel. He arrived at Montrose in November 1745 with that regiment, Fitzjames's regiment of horse, and the piquets of six Irish regiments in the service of France; joined the Chevalier on his return from England; was at the battles of Falkirk and Culloden, after which he escaped to France. He served under Marechal Saxe in Flanders, where he distinguished himself, and showed great kindness to British prisoners. After the siege of Bergen-op-Zoom, 1747, he had the rank of major-general while lying ill of a fever, of which he died without issue the same year, and was buried in the chapel of the English nuns at Antwerp.

1. *Mary*, born 1707, died at Edinburgh, 10th September 1770, æta. 63.

2. *Henriet*, died unmarried.

XX. James Drummond, the eldest son, born 11th May 1713, had the estate conveyed to him by his father, 28th August 1713, whereby it was saved from forfeiture. On his father's death he assumed the title of Duke of Perth. He was educated at the Scotish College of Douay, afterwards at Paris, where he became a skilful mathematician, and drew with the accuracy and taste of a master. About 1734 he came to Scotland, and applied himself to the improvement of his estate. He and his uncle John were two of the seven persons who in 1740 signed the association, engaging themselves to take arms and to venture their lives and fortunes to restore the Stewart family, provided the King of France would send over a body of troops. He joined the Pretender 1745; was first lieutenant-general at the battle of Preston, and commanded at the sieges of Carlisle and Stirling. After the battle of Culloden he escaped to the coast of Moidart, where he embarked for France; but his constitution being quite exhausted by fatigue, he died on the passage, 11th May 1746, just as he had completed his 33d year. He was included in the act of parliament, 19th Geo. III., by which it was provided, that if the persons therein named did not surrender themselves on or before 12th July 1746, they should stand attainted of high treason from and after 18th April 1746. It was contended that the forfeiture could not take effect, as he died before 12th July; and his brother John, who was also named in the act, being subject to attainder from 18th April, was not capable of inheriting; but the Court of Session and House of Lords found that he was capable of taking by inheritance, and that the estate was forfeitable, and forfeited to his Majesty by his treason *. The estate remained forfeited till 1784, when an act of parliament was passed with this clause: And whereas the estate of Perth, which became forfeited by the attainder of John Drummond, taking upon himself the style and title of Lord John Drummond, brother of James Drummond, taking upon himself the style and title of Duke of Perth, stood devised before the forfeiture to heirs male; and whereas the said John Drummond died without leaving issue lawful of his body, and it is not yet ascertained who is the nearest collateral heir male, it is enacted, that it shall be lawful for his Majesty to grant to the heirs male of the said John Drummond, who would have been entitled to succeed by the investitures of the said estate, had it not been forfeited, and to the heirs and assignees of such heir male, all the lands, &c. which became forfeited to his late Majesty King George II. by the attainder of the said John Drummond, and which were annexed to the crown, chargeable with the sum of L. 52,547, 1s. 6d. of principal money, to be paid into the Court of Exchequer. To the benefit of this enactment James Drummond, the lineal descendant of John, Earl of Melfort, laid claim, and obtained a decreet of the Court of Session, 8th March 1785, finding him to be the person who would have been entitled to succeed by the investitures of the estate of Perth, had it not been forfeited; and thereupon he obtained from

Perth.

24. Geo. III. c. 10.

* Among the supplies granted for 1759, was the sum of L. 60,940, 15s. 9½d. to pay off the debts affecting the forfeited estate of James Drummond, calling himself Duke of Perth.

Perth.

the crown a grant of the estate of Perth. The reason of making out the act in these terms, was the appearance of a person in London who assumed the name of John Drummond, and asserted that he was son of Edward, stiled Duke of Perth, and Lady Elisabeth Middleton; but he could not substantiate his descent.

XVIII. JOHN, Earl of MELFORT, second son of James, third Earl of Perth, has been already treated of under the title of Melfort. He married, first, 30th April 1670, Sophia, daughter and sole heiress of Margaret Lundin of Lundin, by Robert Maitland, brother of John, Duke of Lauderdale, and by her had issue,

Lamont's Annals, MS.

1. *John*, born 31st October 1673, died young.

2. *James* Lundin of Lundin, who succeeded his mother, and died unmarried, 6th November 1698.

3. *Robert*.

1. Lady *Anne*, born 3d March 1671, married to Sir John Houstoun of Houstoun, and had issue.

2. Lady *Elisabeth*, born 22d July 1672, married to William, second Viscount of Strathallan, and had issue.

3. Lady *Mary*, married, first, to Gideon Scott of Highchester; secondly, to Sir James Sharp, Bart., and had issue to both, and died at St Andrews, 11th October 1754.

XIX. ROBERT LUNDIN of LUNDIN, the only surviving son, succeeded his brother 1698; was served heir male of entail and of provision of him in the barony of Lundin, 29th April 1699, and died 1716. He married, 20th January 1704, Anne, born 18th September 1684, eldest daughter of Sir James Inglis of Cramond, in the county of Edinburgh, Bart., and by her had two sons,

Inq. Ret. xlviii. 1.

1. *John* Lundin of Lundin, born 10th November 1704, who succeeded his father 1716; but died unmarried at Lundin, 9th October 1735.

2. *James*.

XX. JAMES LUNDIN of Lundin, born 6th November 1707, succeeded his brother 1735; was served and retoured nearest heir male and of provision to Edward Drummond (stiled Duke of Perth), 30th June 1760, and nearest lawful heir male of James, fourth Earl of Perth, 15th May 1766. He assumed the title of Earl of Perth; and died at Stobhall, 18th July 1781, in his 74th year. He married Lady Rachel Bruce, third daughter of Thomas, seventh Earl of Kincardine; and by her, who died at Lundin, 29th June 1769, had issue,

Perth.

1. *Robert*, who died at Lundin, 10th May 1758, æta. 17.

2. *Thomas*, stiled Lord Drummond, who was an officer in the army. He was at New York in 1776, when he submitted to Lord Howe propositions for a peace with America; the letters that passed betwixt them and General Washington are printed in the Gentleman's Magazine that year. He was taken prisoner by the Americans, but Washington gave him liberty to go back to New York on his parole. The climate being too cold for his weak constitution he went to Bermudas, where he resided four years, beloved by all who knew him, and died there in November 1781, unmarried.

3. *James*.

Daughter, *Rachel*, died unmarried at Cardross, 22d May 1798.

XXI. JAMES DRUMMOND, the only surviving son, born 24th September 1744, had an ensign's commission in the 66th foot, 1771; a lieutenancy in the same, 1775; a company in the 42d, or Royal Scots Highlanders, 1780; and served in the East Indies. He obtained possession of the estate of Perth 1785; was created a British peer, by the titles of Lord Perth, Baron Drummond of Stobhall, to him and the heirs male of his body, 14th October 1797; made a settlement of his estate, 11th June 1800, to his daughter and the heirs of her body; which failing, to her nominees; which failing, to his wife in liferent, remainder to his nearest heirs; and he died at Drummond Castle, 2d July 1800, in his 56th year, and was buried at Innerpeffry, where a monument is erected to his memory.

He married at Edinburgh, 13th March 1785, the Hon. Clementina Elphinston,

Perth.

fourth daughter of Charles, tenth Lord Elphinston, and by her had issue,

1. Hon. *Clementina Sarah* Drummond.

2. Hon. *Jamima Rachel* Drummond, born at Edinburgh, 1st May 1787, died at Drummond Castle, 28th April 1788.

3. Hon. *James* Drummond, born 16th October 1791, died 11th August 1799, and was buried at Innerpeffry, where is a monument to his memory.

Lord Perth dying without male issue, his title became extinct; the estate, in terms of his settlement, devolved on his only surviving daughter,

XXII. CLEMENTINA SARAH DRUMMOND, who was born at Edinburgh, 5th May 1786, and married at Edinburgh, 20th October 1807, the Hon. Peter Robert Burrel, born March 1782, eldest son of Lord Gwydir and Baroness Willoughby of Eresby. The King was pleased, 6th November 1807, to grant unto the Hon. Peter Robert Burrell, eldest son and heir apparent of the Right Hon. Peter, Lord Gwydir, deputy lord high-chamberlain of England, by the Right Hon. Priscilla Barbara Elisabeth, his wife, Baroness Willoughby de Eresby, and unto the Hon. Clementina Burrell, his wife, only surviving child, and sole heir of the Right Hon. James Drummond, late Lord Perth, deceased, his royal licence and authority, that, in compliance with a clause in their marriage articles, they, and the issue of their marriage, might take and use the surname, and bear the arms of Drummond, together with the surname and arms of Burrell, and be called by the surname of Drummond Burrell. They have one daughter, born at London 2d September 1809.

Perth.

ARMS.—Or, Three bars wavy, gules.

CREST.—On a ducal coronet, a slouth-hound, proper, collared and leished, gules.

SUPPORTERS.—Two savages, proper, wreathed about the head and middle with oak leaves, holding batons over their shoulders, standing upon a compartment like a green hill, semee of caltrops.

MOTTO.—*Gang warily.*

CHIEF SEAT.—Drummond Castle in Perthshire.

FORBES, LORD FORBES OF PITSLIGO.

Pitsligo.

I. SIR WILLIAM FORBES, second son of Sir John de Forbes of Forbes, had the designation of Kynnaldy. He had a charter of the lands of Glasslack, in the barony of Aberdour, in Aberdeenshire, to William Forbes of Kynnaldy, and Agnes Fraser, daughter of William Fraser of Philorth, and the longest liver of them, and the heirs of his body; which failing, to Alexander Forbes, knight, dominus ejusdem, and the heirs of his body; which failing, to William Fraser of Philorth, and his heirs, 19th August 1424, confirmed by royal charter of 18th July 1426. By his said wife, with whom he got the barony of Pitsligo, he had a son,

Mag. Sig. L. 8. No. 67.

Pitsligo.

II. Sir ALEXANDER FORBES of Pitsligo, who married a daughter of the Errol family, and had issue,

Lumsdain's History of the Family of Forbes, MS. D.

1. Sir *Alexander*.

2. *George*, ancestor of the Forbeses of Lethinty.

3. Sir *Arthur*, progenitor of the Forbeses of Rires.

And four daughters, of whom the eldest

Pitsligo.

married John Gordon of Pitevie; the second the sheriff of Cromarty; the third the laird of Moncoffer; and the fourth the laird of Balquhalfe.

Mag. Sig. L. vii. No. 317.

III. Sir ALEXANDER FORBES of Pitsligo, the eldest son, had a charter of the barony of Pitsligo and Kynnaldy, in Aberdeenshire, on his own resignation, 10th October 1476. He married Christian, daughter of Sir John Ogilvy of Lintrethan, by whom he had two sons,

1. Sir *John*.

2. *William* Forbes of Dauch and New, ancestor of the Forbeses of New.

L. xiv. No. 392.

IV. Sir JOHN FORBES of Pitsligo, the eldest son, had a charter of the lands of Pettaloquhy and Little Brakhach, in Aberdeenshire, 1st March 1506-7. He married Margaret, daughter and heiress of Sir Patrick Wemyss of Rires, by whom he had four daughters, the eldest married to the laird of Asloune; the second to William Woodman of Fingask; the third to William White in Aberdeen; the fourth to William Lawson in Dysart; and a son,

L. xxiv. No. 273. L. xxvii. No. 79.

V. JOHN FORBES of Pitsligo, who had a charter of the lands of Argathin, in the barony of Forbes, apprised from John, Lord Forbes, 6th November 1533. He granted a charter of the lands of Agaes, in Inverness-shire, to Hugh, Lord Fraser of Lovat, 18th December 1536. He married Jean, daughter of Sir William Keith of Innerugy, and had issue,

1. *Alexander*.

2. *Arthur*, killed at the battle of Pinkie, 1547, without issue.

3. *William*.

4. *John*.

And three daughters, the eldest married to Straton of Lauriston; the second to Forbes of Watertoun; and the third to Keith of Pittendrum.

L. xx. No. 72.

VI. ALEXANDER FORBES of Pitsligo, the eldest son, had a charter to Alexander Forbes, son and heir apparent of John Forbes of Pitsligo, and Beatrix Abernethy, his wife, from his father, 8th December 1521. He married Beatrix, daughter of Alexander, fourth Lord Abernethy of Salton, and by her had issue,

Pitsligo.

1. Sir *William* Forbes of Pitsligo, who had a charter to William Forbes, grandson and heir apparent of John Forbes of Pitsligo, and Catherine Gordon his wife, daughter of Alexander Gordon of Strathdoun, and the heirs male procreated betwixt them; which failing, to the heirs male whatsoever of William, of the lands of Melgum, from his grandfather, 15th June 1548. He was, under the designation of William Forbes of Melgum, served heir of Alexander Forbes of Pitsligo, his father, in the barony of Pitsligo, lands of Coburtibeg, and half of the lands of Dalwach, &c. 18th February 1562, and 31st July 1563, and of John Forbes of Pitsligo, his grandfather, in the lands of Lethynty, 31st July 1563, and left two daughters: 1. Margaret, served heir portioner of her father, 31st July 1567; she married James Forbes of Lethinty. James Forbes of Fetheil, and Margaret Forbes, his wife, had a charter of the barony of Pitsligo, 29th April 1574. 2. Jonet, served heir portioner of her father, 22d June 1574; she had a charter, in her virginity, 14th September 1575, of the lands of Warthill, from William Duguid of Auchinhufe, her husband.

Mag. Sig. L. xxx. No. 202.

Inq. Ret. ♩ 4, 5, 18.

Mag. Sig. L. xxxix. No. 339.

Ibid. No. 64.

2. *Alexander*.

3. *John* Forbes of Boyndlie, who married Agnes Gray, a daughter of the laird of Shives, and had issue.

4. *Arthur* Forbes, who married Margaret Lesly, a daughter of the laird of Pitcaple, and had issue,

5. *George*.

6. *Hector*.

Daughter, *Anne*, married to Alexander Gordon of Lesmoir.

L. xxxv. No. 36.

VII. ALEXANDER FORBES of Pitsligo, the second son, had a charter of the barony of Pitsligo, 23d January 1579-80, and married, first, Elisabeth Anderson, relict of Forbes of Tolquhoun, by whom he had a daughter,

Violet, married to Gilbert Menzies of Pitfoddils. A charter was granted to Violet Forbes, natural daughter of Alexander Forbes of Pitsligo, in her virginity, by Thomas Menzies of Pitfoddils, with con-

Pitsligo.

sent of Gilbert his son and heir apparent, of the lands of Findoun, &c. 9th June 1571, confirmed by royal charter of 28th January 1576-7, by which time Thomas Menzies was dead.

He married, secondly, Barbara, second daughter of William, Lord Keith, son and heir apparent of William, fourth Earl Marischal; she had a charter of Ladiesfurd, &c. in Aberdeenshire, confirmed 20th January 1580-1; and they had a son,

Mag. Sig. L. xxxv. No. 382.

Sir *John*;—and a daughter,

Marjory, married to John Forbes of Brux.

VIII. Sir JOHN FORBES of Pitsligo, the only son, was served heir of Alexander his father, 1st February 1600; had charters of the barony of Pitsligo, 1st June 1600; of Kinnaldy, to himself and Christian Ogilvy his wife, of same date; of Kindrocht, to him and her, 31st August 1609; of the barony of Pitsligo, Kinnaldy, &c. to himself, 12th November 1611, and he died in September 1625. He married Christian, eldest daughter of Walter, first Lord Ogilvy of Deskford, by whom he had a son,

Inq. Ret. ii. 15. Mag. Sig. L. xlii. No. 166. L. xlv. No. 37. L. xliv. No. 192, 193.

Alexander;—and four daughters,

1. *Anne*, married to Alexander, tenth Lord Forbes.

2. *Jean*, married to Forbes of Tolquhoun.

3. *Mary*, married to Ogilvy of Boyne.

4. *Christian*, married to Fraser of Strichen.

IX. ALEXANDER FORBES of Pitsligo, the only son, had a charter to Alexander Forbes, legitimate son of John Forbes of Pitsligo, of the lands of Brako, &c. in Aberdeenshire, 16th March 1618; was served heir of his father, 1st October 1628, and of Sir William Forbes of Kynnaldie, knight, abavi abavi, 10th December 1630; was created a peer, by the title of Lord Forbes of Pitsligo, by patent dated at Holyroodhouse 24th June 1633, to him et hæredibus masculis de corpore suo legitime procreandis, vel eorum hæredibus, quibus deficientibus, hæredibus suis masculis quibuscunque, cognomen et arma de Forbes gerentibus; and died 26th October 1635. He married Lady Jean Keith, second daughter of William, sixth Earl Marischal, by whom he had a son,

L. xlviii. No. 375. L. liv. No. 139.

Inq. Ret. x. 216. xii. 15.

Alexander, second Lord Forbes of Pitsligo;—and a daughter,

Hon. *Mary* Forbes, married to Sir John Gordon of Haddo, and had one daughter.

Pitsligo.

X. ALEXANDER, second Lord FORBES of Pitsligo, the only son, was served heir of his father 27th April 1637, being then under age, as Alexander Forbes of Boyndlie, the son of the brother of his great-grandfather, was served tutor at law of him and Mary his sister, 30th August 1636; and, on his death, his son, Alexander Forbes of Boyndlie, the grandson of the brother of his great-grandfather, was served tutor at law of them, 31st July 1638. He married Lady Mary Erskine, eldest daughter of James, Earl of Buchan, by whom he had a son,

Inq. Ret. xv. 177.

XI. ALEXANDER, third Lord FORBES of Pitsligo, who died 1691. He married Lady Sophia Erskine, third daughter of John, ninth Earl of Marr, by whom he had a son,

Alexander, fourth Lord Forbes of Pitsligo;—and a daughter,

Hon. *Mary* Forbes, married, first, to John Forbes, younger, of Monymusk, and was mother of Sir William Forbes, Bart., father of the late highly respected Sir William Forbes of Pitsligo, baronet, banker in Edinburgh; secondly, to James, fifteenth Lord Forbes, and was mother of the sixteenth Lord Forbes.

XII. ALEXANDER, fourth Lord FORBES of Pitsligo, the only son, succeeded his father 1691; took the oaths and his seat in parliament, 24th May 1700; adhered to the Duke of Atholl's protest against the union, 25th December 1705, and did not attend the parliament 1706-7, when that treaty was settled. He engaged in the rebellion, 1715; but no notice appears to have been taken of his defection. He published, in 1734, Essays, moral and philosophical, on several subjects; engaged in the rebellion 1745, after the battle of Preston, and being considered by his neighbours as a very prudent man, his example drew many into that course. He was at-

Pitsligo.

tainted by the title of Lord Pitsligo, and his honours and estate forfeited. He claimed the estate before the Court of Session, on account of the misnomer, his true title being Lord Forbes of Pitsligo; and that court gave judgment in his favour, 16th November 1749; but, on an appeal, it was reversed by the House of Lords, 1st February 1750. He died at Auchiries in Aberdeenshire, 21st December 1762.

He married, first, Rebecca, daughter of John Norton, merchant in London, by whom he had a son,

John, Master of Pitsligo.

Secondly, Elisabeth Allan, an English lady, without issue.

XIII. JOHN, Master of PITSLIGO, the only son, died at Auchiries, 30th August 1781, æta. 68; he married, 2d August 1750, Rebecca, daughter of James Ogilvy of Auchiries, but had no issue by her, who died at Aberdeen, 29th January 1804, æta. 85.

Pitsligo.

ARMS.—Quarterly: 1st and 4th, Azure, three boars heads couped, argent, muzzled, gules, for Forbes; 2d and 3d, Azure, three cinquefoils, argent, for Fraser.

CREST.—A falcon, argent.

SUPPORTERS.—Two boars, proper, muzzled, gules.

MOTTO.—*Altius ibunt qui ad summa nituntur.*

STEWART, LORD PITTENWEEM.

Pittenweem.

I. ALEXANDER STEWART, second son of Alan Stewart of Derneley, got from his brother, John Stewart, the lands of Dreghorn in Ayrshire, of which he had a charter, 13th May 1450, and of Gallistoun in the same county, of which he had another charter, 27th June 1452. He died after 1473, leaving a son,

Mag. Sig. L. iv. No. 23, 296.

II. ROBERT STEWART of Galliston, who was father of

III. ALEXANDER STEWART of Galstoun, who had a charter of these lands to Alexander Stewart, son and heir of the deceased Robert Stewart of Galstoun, dated in 1511. He had issue,

In Pub. Arch. D.

1. *Thomas.*

2. *Alan* Stewart of Threapwood, provost of Edinburgh in the reign of James V., and captain of his Majesty's guards.

Daughter, *Margaret*, married to James Chalmers of *Gadgirth*.

Nisb. Her. App. 19.

IV. THOMAS STEWART of Galstoun, the eldest son, by Isabel Henderson his wife, had two sons,

Pittenweem.

1. *Thomas* Stewart of Galstoun, father of William Stewart of Galstoun, father of Ludovick Stewart of Galstoun, who died without issue 1650, leaving his estate to his uncle, George Ross of Haining.

A. Stuart, 197.

2. *William.*

V. WILLIAM STEWART, the second son, was a colonel and captain of the King's guards. He had a letter of provision under the great seal, Willielmo Stewart, coronatori capitano Regi guardæ ad prioratum de Pettenweym, 31st July 1583, and a confirmation of the same, 26th October following. He was thenceforward designed commendator of Pittenweem; and had charters of the lands of Pittenweem, Anstruther, &c. united into the tenandry of Pittenweem, 6th May 1594; and of the dominical lands of Houstoun, in the coun-

Mag. Sig. L. xxxv. No. 715, 840. L. xxxix. No. 113, 244.

Pittenweem.

ty of Linlithgow, 26th July 1594. He married Isabel, daughter of Sir Patrick Hepburn of Waughton, by Margaret his wife, sister of William Lundin of Lundin, by whom he had a daughter, *Anne*, born 5th June 1595, and a son,

Edin. Reg.

VI. Frederick Stewart, in whose favour the lands and baronies belonging to the priory of Pittenweem were erected into a temporal lordship and barony, to him and his heirs and assigns, by act of parliament, 1606. A charter passed the great seal, 26th January 1609, to Frederick Stewart, legitimate son of William Stewart, commendator of the priory of Pittenweem, et hæredibus suis et assignatis quibuscunque, of the whole lands and baronies belonging to the said priory, quæ quidem unimus in unum integrum et liberum temporale dominium et baroniam, dominium et baroniam de Pittenweem nuncupand. dando et concedendo dicto Frederico Stewart, hæredibus suis et assignatis præscriptis, titulum honorem statum et locum unius liberi temporalis domini nostri parliamenti, omnibus temporis affuturis, ut habeant votum in omnibus nostris parliamentis, &c. similiter et adeo libere in omnibus respectibus, sicut aliqui alii nostri liberi temporales domini nostri parliamenti infra regnum Scotiæ habuerunt, habent, seu habere possunt, quovis tempore præterito vel futuro. Et volumus quod dictum dominium honoretur et decoretur cum insigniis et armis prout congruit, nuncupand. in futurum dominium de Pittenweem, &c. Frederick, Lord Pittenweem, had a charter of the barony of Ryndis, 1st December 1618, and died without issue. The title has not since been claimed by any heir general or assignee.

Mag. Sig. L. xlvi. No. 20. L. xlvii. No. 82.

Pittenweem.

COLYEAR, EARL OF PORTMORE.

Portmore.

I. Sir Alexander Robertson, of the family of Strowan in Perthshire *, was created a baronet of England, 20th February 1677, and settled in Holland, where he acquired a considerable fortune, and assumed the name of Colyear. He had two sons,

1. Sir *David*.

2. *Walter Philip* Colyear, who made a distinguished figure in the wars carried on by King William and Queen Anne; had the command of a regiment in the service of the States of Holland, 1695; was appointed governor of Namur, 1718; attained the rank of field-marshal, and died at Maestricht in November 1747, æta. 90. His daughter, Elisabeth, maid of honour to Queen Anne, and lady of the bed-chamber to Queen Caroline, married, in January 1709, Lionel, Duke of Dorset, and had issue, and died 12th June 1768.

Portmore.

II. Sir David Colyear, the eldest son, went a volunteer from England to the army of William, Prince of Orange, 1674; had the command of a Scotish regiment in the service of the States of Holland; came over with King William at the revolution, and served with great reputation in Ireland, 1689 and 1690, afterwards in Flanders. He was created a peer of Scotland, by the title of Lord Portmore and Blackness, to him and the heirs male of his body, 1st June 1699. The next year, when the ministers of King William strained every nerve to secure a majority in parliament, the Duke of Queensberry wrote to Mr Carstares, 26th September 1700: "If my

* Inq. Ret. xxxiii. 186, 24th March 1677, Colonellus Alexander Robertsone alias Coalzear, hæres Joannæ Colzear filiæ Majoris Davidis Colzear, sororis germanæ.

Portmore. "Lord Portmore were ordered hither, he "might not only undeceive the people as to "himself, but be useful in the King's ser- "vice, for which I know he has both affec- "tion and zeal." He accordingly came down to Scotland, and took the oaths and his seat in parliament, 31st October 1700. Macky thus notices his Lordship: "He is "one of the best foot-officers in the world; "is very brave and bold; hath a great deal "of wit; very much a man of honour, and "nice that way, yet married the Countess "of Dorchester, and had by her a good es- "tate; pretty well shaped; dresses clean; "but one eye; towards 50 years old."

His Lordship had the rank of major-general, 1702; had the command of the 2d regiment of foot conferred on him, 27th February 1703; and was further dignified with the titles of Earl of Portmore, Viscount of Milsington, and Lord Colyear, by patent, dated at St James's, 13th April 1703, to him and the heirs male of his body. He was sent with the Duke of Ormond to Cadiz, and served in the war in Spain as lieutenant-general; had the appointment of commander-in-chief of the forces in Scotland, 1710; was promoted to the rank of general, January 1711; commanded in Flanders under the Duke of Ormond, 1712; and was, the same year, sworn a privy-councillor, and invested with the order of the Thistle. His Lordship was constituted governor of Gibraltar in August 1713, and was chosen one of the sixteen representatives of the Scotish peerage in October same year. When the command of the second regiment of dragoons, or Royal Scots Greys, was, by the tory administration, taken away from the Earl of Stair, it was conferred on the Earl of Portmore, who retained it till February 1717, when the brave Sir James Campbell was appointed colonel of that fine regiment. When the Spaniards laid siege to Gibraltar, 1727, the Earl of Portmore embarked for that place to assume the command as governor; and he died 2d January 1730.

His Lordship married Catherine, Countess of Dorchester, only child of Sir Charles Sedley of Southfleet in Kent, Bart., by Lady Catherine Savage, daughter of John, Earl Rivers. She was created Countess of Dorchester and Baroness of Darlington for life, 20th January 1685; had by King James VII. a son, who died young, and a daughter, Lady Catherine Darnley, born 1683, married, first, in March 1699, to James, Earl of Anglesea; secondly, 1st March 1705, to John Sheffield, Duke of Buckinghamshire and Normanby. The Countess of Dorchester and Portmore had a pension of L. 5000 per annum on the Irish establishment, and died at Bath, 26th October 1717, having had by the Earl of Portmore two sons,

Portmore.

1. *David*, Viscount of Milsington, married, 20th November 1724, to Bridget, daughter of the Hon. John Noel of Walcot, in the county of Northampton, third son of Baptist, Viscount Campden. All their children died in infancy, and he died before his father at Piperno, 10th March 1729, without surviving issue.

2. *Charles*, second Earl of Portmore.

III. Charles, second Earl of Portmore, the only surviving son, born 27th August 1700, was elected member for Chipping Wycombe to the parliament 1722-1727, on a vacancy, but his election was declared void. He was again chosen for the same place, but found not duly elected; was chosen for Andover, 1727, and succeeding his father 1730, a new writ was issued, 13th January 1730, on his becoming a peer of Scotland. He was appointed ambassador to compliment Don Carlos on his arrival in the dominions of Parma and Placentia in February 1732, and the same year was invested with the order of the Thistle. He was chosen one of the sixteen representatives of the Scotish peerage at the general election 1734, and was rechosen in 1741. His Lordship, who made a distinguished figure at court and among the highest circles, by the magnificence of his equipages and dress, and was conspicuous on the turf, died in Upper Harley Street, London, 5th July 1785, in his 85th year.

His Lordship married, 7th October 1732, Juliana, Duchess-Dowager of Leeds, daughter and coheiress of Roger Hale of Halewell, in Devonshire. She was first married, in April 1725, to Peregrine, third Duke of Leeds, whose third wife she was; and by him, who died 9th May 1731, had

Portmore.

no issue. She died 20th November 1794, in her 89th year, having had by the Earl of Portmore,

1. *David*, Viscount of Milsington, who was appointed an ensign in the Coldstream regiment of foot-guards, April 1755, and died unmarried, 16th January 1756, æta. 18.

2. *William Charles*, third Earl of Portmore.

1. Lady *Caroline*, born December 1733; married, 27th October 1751, to Sir Nathaniel Curzon of Kedlestone, in Derbyshire, Bart., created Lord Scarsdale 1761, and has issue.

2. Lady *Juliana*, born 1735, married, 23d November 1759, to James Dawkins of Standlinch, in Wiltshire, and has issue.

IV. William Charles, third Earl of Portmore, the only surviving son, succeeded his father 1785. He married, at Esher, 5th November 1770, Lady Mary Leslie, born 29th August 1753, second daughter of John, ninth Earl of Rothes, sister of Jane Elisabeth, Countess of Rothes; and by her, who died at Kedlestone, 21st March 1799, in her 46th year, had issue,

1. *Thomas Charles*, Viscount of Milsington.

2. Hon. *William* Colyear, who had a cornetcy in the 1st regiment of dragoon-guards, 1792, afterwards a lieutenancy in the same corps; had a troop in the 28th regiment of dragoons, 1795; the majority of the same 1799, and was reduced to half pay 1802. He ranks as lieutenant-colonel in the army from 1st January 1805.

3. Hon. *Francis* Colyear, born January 1781, died in Hanover Square, London, 25th May 1787.

4. Hon. *John David* Colyear, a lieutenant in the 64th regiment of foot; was in the unsuccessful expedition against Ferrol in August 1800, and died at the hotel of Buenos Ayres in Lisbon, 19th March 1801.

1. Lady *Mary*, born in 1773.

2. Lady *Julia*, born in 1774. These two young ladies, who were much admired at court and in the fashionable circles for their accomplishments, died at Bath on the same day, 11th August 1800, deeply lamented, and were buried at Weybridge.

3. Lady *Catherine Caroline*, born 5th November 1779. Portmore.

V. Thomas Charles, Viscount of Milsington, the eldest surviving son, born 30th March 1772, has the rank of colonel in the army, and was chosen Member of Parliament for Boston at the general election 1796. His Lordship married, 26th May 1793, Lady Mary Elisabeth Bertie, only child of Brownlow, fifth Duke of Ancaster. She was born 24th July 1771, and died at the hot wells, Bristol, 10th February 1797, æta. 26, having borne a long illness with uncommon fortitude and resignation, deservedly esteemed by her family and friends; to the poor she was an irreparable loss, as her leading features were benevolence and charity. She left one son,

Hon. *Brownlow Charles* Colyear, who, on the death of his grandfather Brownlow, Duke of Ancaster, 8th February 1809, æta. 79, succeeded to his large personal property.

Titles.—William Charles Colyear, Earl of Portmore, Viscount of Milsington, Lord Portmore, Blackness, and Colyear, and baronet.

Creations.—Baronet of England, 20th February 1677. Lord Portmore and Blackness, by patent, dated at Kensington, 1st June 1699, to the first Lord, and the heirs male of his body. Earl of Portmore, Viscount of Milsington, and Lord Colyear, by patent, dated at St James's, 13th April 1703, to the first Earl, and the heirs male of his body.

Arms.—Gules, on a chevron between three wolves heads, couped, Or, as many oak trees eradicate, proper, fructed of the second.

Crest.—An unicorn's head, argent, horned and maned, Or.

Supporters.—Two wolves, argent.

Motto.—*Avance.*

Chief Seat.—*Weybridge in Surry.*

GRAHAM, VISCOUNT OF PRESTON.

Preston.

THIS branch of the ancient family of Graham is derived from Sir John Graham of Kilbride, called Sir John with the bright sword, second son of Malise, Earl of Menteth, son of Euphemia, Countess of Strathern, only child of David, Earl of Strathern, eldest son of the second marriage of King Robert II. He had from his father a charter of the lands of Kilbride, 7th April 1464, was ancestor of the Grahams of Gartmore, and of

Hutchinson's Cumberland, II. 531.

I. Sir RICHARD GRAHAM of Eske and Netherby, who was master of the horse to the Duke of Buckingham, and one of the party that attended Prince Charles on his secret expedition to Spain. He was created a baronet of England, 29th March 1629; joined the royal army in 1641, and was so severely wounded at the battle of Edgehill, that he lay among the dead the whole night. He repaired to the Isle of Wight in 1648, to take a solemn adieu of King Charles I., and died in 1653. He married Catherine, daughter and coheiress of Thomas Musgrave of Cumcatch, by whom he had issue,

1. Sir *George*.

2. Sir *Richard* Graham of Norton Conyers, in the north-riding of Yorkshire, created a baronet of England, 17th November 1662, ancestor of the Grahams of Norton Conyers, baronets, whose descent is detailed in Collins' Baronetage, II. 271.

1. *Catherine*, died unmarried.

2. *Mary*, married to Sir Edward Musgrave of Hayton, in Cumberland, baronet.

3. *Elisabeth*, married to Sir Cuthbert Heron of Chipchase, in Northumberland.

4. *Susan*, married to Reginald Carnaby of Halton, in the same county.

II. Sir GEORGE GRAHAM of Netherby, the eldest son, succeeded his father 1653, and died at Netherby in 1657, æta. 33. He married Lady Mary Johnston, eldest daughter of James, first Earl of Hartfell; and by her, who married, secondly, Sir George Fletcher of Huttonhall, in Cumberland, had issue,

1. Sir *Richard*.

2. Colonel *James* Graham of Levens, in Westmoreland, who was Member of Parliament for Appleby at the union, and for the county of Westmoreland from 1708 to 1727. He married Dorothy, eldest daughter of the Hon. William Howard, fourth son of Thomas, first Earl of Berkshire, by whom he had an only child, Catherine, married, 5th March 1709, to her cousin-german, Henry Bowes, eleventh Earl of Suffolk and Berkshire, and died 14th February 1762, leaving issue.

3. *Fergus*, died without issue.

4. *William* Graham, D. D. Dean of Carlisle from 1686 to 1704, when he was appointed to the deanery of Wells. He had two sons: William, who died unmarried; and Robert Graham, who succeeded to the estate of Netherby on the death of Lady Widdrington, and died 2d February 1782, æta. 72. He was of a disposition truly kind and beneficent, and regarded his ample fortune as the means of dispensing blessings and happiness to others. He married a daughter of Sir Reginald Graham of Norton Conyers; and by her, who died at York, 18th February 1801, had issue: 1. Charles, who succeeded his father, but survived him only twelve days, dying 14th February 1682. 2. Sir James Graham of Netherby, born in April 1761; created a baronet of Great Britain, 28th December 1782; married, in 1785, to Lady Catherine Stewart, eldest daughter of John, seventh Earl of Galloway, and has issue. 3. William, captain in the 65th regiment of foot, deceased, who, by his wife Miss Hersay, an American lady, left a son. 4. Fergus, rector of Arthuret and Kirkandrews, married, in 1792, to Johanna Gale, niece of Humphry Senhouse of Netherhall, Member of Parliament for Cumberland, and has issue. Daughter, Catherine, married, 2d

Preston.

Preston.

June 1785, to Thomas Garforth of Hutton, in Yorkshire.

5. *Reginald*, who left a son, Metcalfe Graham, Esq.

Daughter, *Margaret*.

III. Sir RICHARD GRAHAM of Netherby, baronet, the eldest son, succeeded his father 1657, and was created a peer of Scotland, by the title of Viscount of Preston, in the county of Haddington, and Lord Graham of Esk, to him and the heirs male of his body for ever, by patent, dated at Windsor Castle, 12th May 1681. He represented Cumberland in parliament in 1685; was sent ambassador to the court of France, and, on his return home, was appointed one of the principal secretaries of state in 1688. He was, by King James VII., created a peer of England, by the title of Baron of Esk, just at the period of his abdication. He claimed his seat in the House of Lords, 11th November 1689, stating, that the patent had passed the seals before the vote of abdication; the House ordered him into custody, declared the patent void and null, and directed that he should be prosecuted for a misdemeanour; but this last order was discharged on his submission, and he was released. His Lordship and Mr John Ashton were apprehended on the 30th of December 1689, on board a vessel in the river Thames, with several treasonable papers in their custody, being a specification of the naval force, the state of the ports and their garrisons, and an invitation to the King of France to invade the country. Lord Preston was tried for high treason at the Old Bailey, under the designation of Sir Richard Graham, baronet, Viscount Preston of the kingdom of Scotland; he pled that he was a peer of England, but this plea was overruled, and he was, on the 17th of January 1690, found guilty, and sentenced to suffer the death of a traitor; and his estates and title of baronet of England were forfeited to the crown. Mr Ashton was tried next day, convicted, and executed; but Lord Preston obtained a pardon, and retired to Nunnington in Yorkshire, where he died, and was buried in the church of that place, his tombstone being inscribed, "Here lies the body of Richard Graham, "Viscount Preston, son of George Graham "of Netherby, in the county of Cum- "berland, baronet, who died the 22d day "of December 1695." The attainder could not affect his Scottish peerage, as no act of forfeiture against him passed in Scotland. He married Lady Anne Howard, eldest daughter of Charles, first Earl of Carlisle, by whom he had a son,

Preston.

MS. in Bibl. Jurid.

State Trials, III. 856.

Edward, second Viscount of Preston;—and two daughters,

1. Hon. *Catherine* Graham, married to William, Lord Widdrington, Baron Widdrington of Blankney, in Lincolnshire, attainted 1715, and died without issue in 1757, when the estates of the Grahams, Viscounts of Preston, went to the Rev. Robert Graham, D. D.

2. Hon. *Mary Susan* Graham, who died, unmarried, in 1753.

IV. EDWARD, second Viscount of PRESTON, the only son, succeeded his father in 1695, being then 17 years of age, and died at Nunnington in 1709, æta. 31. He married Mary, daughter and coheiress of Sir Marmaduke Dalston of Hawkswell, in Yorkshire, by whom he had a daughter, the Hon. *Anne* Graham, who died unmarried, and a son,

V. CHARLES, third Viscount of PRESTON, who voted by proxy at the general election of representative peers of Scotland, 1727, and at several subsequent elections. He married a daughter of Thomas Cox, Esq. sister of the Countess of Peterborough; but dying without issue at Bath, 22d February 1739, his titles became extinct; his extensive estates went to his two aunts, and on the death of Lady Widdrington, the last survivor, in 1757, devolved on the Rev. Robert Graham, D. D. father of Sir James Graham of Netherby, baronet, heir male of the Viscounts of Preston.

ARMS.—Quarterly: 1st and 4th, Or, on a chief, sable, three escallops of the field, for Graham. 2d and 3d, Or, a fess cheque, azure and argent, surmounted of a chevron, gules, for Stewart of Menteth. Over all, in the centre point, a crescent for difference.

Preston. CREST.—On a wreath, argent and azure, two wings conjoined.

SUPPORTERS.—Dexter, an eagle; sinister, a lion, both ermine, and ducally crowned, Or. Preston.

MOTTO.—*Reason contents me.*

DOUGLAS, MARQUIS OF QUEENSBERRY.

Queensberry. I. SIR WILLIAM DOUGLAS, the first of this noble house, was son of James, Earl of Douglas and Marr, killed at the battle of Otterburn, 1388. He had a grant from his father of the barony of Drumlangrig, in the county of Dumfries, Willielmo de Douglas, filio nostro, et hæredibus suis de corpore suo legitime procreandis, by charter without a date, but necessarily granted before 19th August 1388. William de Douglas of Drumlanrig, knight, had a safe conduct to come into England with twenty persons in his retinue, 17th November 1397, another with twenty-four horsemen in his company, 3d November 1405; also as a hostage for the Earl of Douglas, 30th January and 1st November 1406. Sir William Douglas of Drumlanrig, and Sir Gawin de Dunbar, knight, attacked Roxburgh in 1411, broke down the bridge, and burnt the town. On the 24th of September that year, Sir William Douglas of Drumlanrig was, along with the Earls of Douglas and March, and others, a commissioner to treat for a pacification with England; and he had a safe conduct to come into that kingdom, 15th May 1412. He obtained from King James I. a letter, dated at Croydon, 30th November 1412, confirming to him the lands of Drumlanrig, Hawick, and Selkirk; and he had a safe conduct to return to Scotland, and to come from thence to England, to negotiate the release of his Majesty, 16th April 1413. A safe conduct was granted to William Douglas de Drumlangryg in Scotia, chivaler, to come into England with three persons of his nomination, pro certis factis armorum, 18th August 1413, also 19th December same year. He had a safe conduct to him and six persons to be nominated by him, attended by eighty horsemen, to come to Carlisle to perform certain feats of arms before judges, against John de Clyfford, chivaler, and six persons of his nomination, 16th December 1414. William de Douglas, chivaler, dominus de Drumlangryg, had a safe conduct into England, 14th April and 8th December 1416. He went over to France with the Scotish auxiliaries in 1420; had a safe conduct, dated 30th August that year, to come to King Henry V. at Corbeil, on the Wednesday or Thursday thereafter; and another to pass to Normandy to James I., 7th September 1420. He was knighted at the coronation of James, 1424, and, it is said, lost his life in battle against the English in France in 1427. He married Elisabeth, daughter of Sir Robert Stewart of Durrisdeer and Rosyth, by whom he had a son, Queensberry.

Carta penes D. Queensberry. D.

Fœdera, VIII. 25, 421, 429, 457.

Fordun, II. 447.

Fœdera, VIII. 703, 735.

Crawf. Peer. 414.

Fœdera, IX. 6, 45, 79, 192, 341, 419, X. 18, 19.

Crawf. Peer. 414.

II. WILLIAM DOUGLAS of Drumlanrig, who is documented by an indenture betwixt William Douglas, Lord of Drumlanrig, and William Douglas, Lord of Leswalt, 1427. Willielmus de Douglas, dominus de Drumlangrig, was sent into England as one of the hostages for King James I., 9th November 1427, in room of Adam de Hebburn, knight. He was in the army under the command of the Earls of Douglas and Ormond, by whom the English were defeated in 1448; and he died in 1458, leaving, by Janet his wife, daugh-

Ibid.

Fœdera, X. 318.

Queensberry. ter of Sir Herbert Maxwell of Caerlaverock, a son,

III. William Douglas of Drumlanrig, who distinguished himself at the siege of Roxburgh, where James I. was killed, in 1460; and he accompanied the Earl of Angus in December 1462, in his expedition to England, when he succeeded in bringing off Breze and the French garrison from Alnwick, in sight of a superior English army. He died in 1464, leaving, by his wife Margaret, daughter of Sir William Carlyle of Torthorwald, a son,

Crawf. Peer. 415.

IV. Sir William Douglas of Drumlanrig, who was killed in the royal army, in the engagement with the Duke of Albany and the Earl of Douglas, when they invaded Scotland, on the 22d of July 1484, near Lochmaben. He married Elisabeth, eldest daughter of Sir Robert Crichton of Sanquhar, by whom he had issue,

Ibid. 413.

1. *James.*

2. *Archibald*, ancestor of the Douglases of Cashogle.

3. *George*, ancestor of the Douglases of Penzire.

4. *John*, vicar of Kirkconnell.

1. *Margaret*, married to John, second Lord Catheart.

2. *Janet*, married, first, to William, Master of Somerville; secondly, to Sir Alexander Gordon of Lochinvar.

3. *Elisabeth*, married to John Campbell, son and heir apparent of James Campbell of Wester Loudoun.

V. James Douglas of Drumlanrig, the eldest son, married, in 1470, Janet, eldest daughter of Sir David Scott of Branxholm, ancestor of the Duke of Buccleuch and Queensberry, and died in 1498, leaving issue by her, a daughter, *Janet*, married to Robert Grierson of Lag, and a son,

Ibid.

VI. Sir William Douglas of Drumlanrig, who had a charter, to William Douglas, son and heir apparent of James Douglas of Drumlanrig, of the barony and castle of Drumlangrig, 19th May 1492. He succeeded his father 1498, and had charters, to William Douglas of Drumlanrig, knight, of ten marks of land in the town of Dalgarnock, 22d August 1500; of the barony of Tibbers, resigned by William Maitland of Leithington, 23d February 1508-9; and of the barony of Hawick, 13th June 1511. He fell at the battle of Flodden, 9th September 1513, having married Elisabeth, daughter of Sir John Gordon of Lochinvar, by whom he had issue,

Mag. Sig. L. xii. No. 279. L. xiii. No. 365. L. xv. No. 95. L. xvii. No. 50.

Queensberry.

1. Sir *James.*

2. *Robert*, provost of Lincluden, from whom the Douglases of Burford are descended.

1. *Janet*, married to Robert, fourth Lord Maxwell.

2. *Agnes*, married to Andrew Cunningham of Kirkshaw.

VII. Sir James Douglas of Drumlanrig, the eldest son, was engaged with Sir Walter Scott of Branxholm in his attempt to rescue King James V. out of the power of the Earl of Angus in June 1526, for which he obtained a remission. He had a charter of the King's lands of Craigenbaith, in the stewartry of Kircudbright, 16th February 1531-2, and another of part of Schanlokfute and Deizan, in the county of Dumfries, on his own resignation, to him and Christian Montgomery, his wife, 30th October 1545. He was knighted by the Duke of Chatelherault, Regent of Scotland, and, in 1553, appointed guardian of the west marches, with a full power of justiciary, which office he discharged for many years with great wisdom and prudence. He was an active partizan on the King's side in the civil wars, was made prisoner, 23d June 1571, and carried to the castle of Edinburgh. He had charters of all the lands which belonged to Janet, one of the two heirs of Symon Carruyeris of Mouswald, with consent of her husband Thomas Roresoun of Bardannich, being half of Mouswald, part of Dronok, Cummertrees, Middlebie, and Hoddam, 16th July 1562; and of the lands of Auchinskeoch, Carrutheris, &c. 27th January 1572-3; and he died in 1578.

Crawf. Peer. 415.

Mag. Sig. L. xxiv. No. 172. L. xxix. No. 294.

Crawf. Peer. 415.

Bannatyne's Journal, 236.

Mag. Sig. L. xxxii. No. 376. L. xxxiii. No. 80.

He married, first, in 1513, Margaret Douglas, third daughter of George, Master of Angus, sister of Archibald, sixth Earl of Angus, by whom he had three daughters,

Queensberry.

1. *Janet*, married, first, to Sir William Douglas of Cashogle; secondly, to John Charteris of Amisfield.

2. *Margaret*, married to John Jardine of Applegirth.

3. *Nicholas*, married to James Johnston, son and heir apparent of John Johnston of Johnston, as appears from a charter from him to Nicholas Douglas, daughter of James Douglas of Drumlanrig, in her virginity, dated 17th February 1544-5, of the lands of Johnstonholme.

Mag. Sig. L. xxxii. No. 377.

Having divorced his first wife, he married, secondly, Christian Montgomery, only daughter of John, Master of Eglintoun, sister of Hugh, third Earl of Eglintoun, for which a papal dispensation was obtained. A charter was granted, 20th February 1540-1, to Christian Montgomery, wife of James Douglas of Drumlanrig, of the baronies of Drumlanrig, Lockerbie, &c. They had a son,

Sir *William*;—and four daughters,

1. *Margaret*, married, first, to Edward, fifth Lord Crichton of Sanquhar; secondly, in 1571, to William, fifth Earl of Menteth; thirdly, to Wauchope of Niddery.

2. *Helen*, married to Grierson of Lag.

3. *Janet*, married, first, to James Tweedy of Drumelzier, who granted a charter to Janet Douglas, daughter of James Douglas of Drumlanrig, in her virginity, of part of Drumelzier, 8th November 1557; secondly, to Sir William Ker of Cessford, ancestor of the Duke of Roxburgh.

L. xxxi. No. 864.

4. *Christian*, married to Sir Alexander Stewart of Garlies; they had a charter 1576.

VIII. Sir William Douglas of Hawick, the only son, had charters, to William Douglas, son and heir apparent of James Douglas of Drumlanrig, of the baronies of Drumlanrig, Tibbers, and Hawick, on his father's resignation, 14th April 1547; and of several lands in the counties of Dumfries and Kirkcudbright, 20th February 1564-5. He was actively engaged on the part of the King at the battle of Langside, 1568, and in the civil wars, and died before his father, in 1572. He married Margaret, second daughter of Sir James Gordon of Lochinvar, and by her had a son,

L. xxx. No. 90. L. xxxii. No. 142.

Sir *James*;—and three daughters,

Queensberry.

1. *Margaret*, married to Sir Robert Montgomery of Skelmorly, and had issue.

2. *Janet*, married to Sir James Murray of Cockpool, and had three daughters.

3. *Christian*, married to Robert, second Earl of Carnwath, and had issue. (She was probably daughter, and not sister, of Sir James Douglas.)

IX. Sir James Douglas of Drumlanrig, the only son, succeeded his grandfather 1578, had charters of Kirkhope in Lanarkshire, to him and Mary Fleming his wife, 12th December 1581; of Almorness and Craigmoy, 8th October 1587; of Airdis, and the patronage of Glencarne, 1st June 1589; of the baronies of Drumlanrig and Tibberis, united into the regality and justiciary of Drumlanrig, 28th January 1591-2; of the ecclesiastical lands of Garvell, 20th June 1605; of half of Mousewald and Howquhat, 4th September 1607; and of the lands, barony, and regality of Drumlanrig, &c. 13th April 1609. He was very active in suppressing disturbances on the borders; and died on the 16th of October 1615. He married Mary, eldest daughter of John, fifth Lord Fleming, and had issue,

Mag. Sig. L. xxxv. No. 382. L. xxxvi. No. 477. L. xxxviii. No. 348. L. xxxviii. No. 306. L. xlv. No. 282. L. xlv. No. 73, 230.

1. Sir *William*.

2. Sir *James* Douglas of Mouswald.

3. *David* Douglas of Airdoch.

4. *George* Douglas of Penziere.

1. *Janet*, married to William Livingston of Jerviswood.

2. *Helen*, married to John Menzies of Castlehill.

X. Sir William Douglas of Drumlanrig, the eldest son, was served heir of his father, 17th October 1615, had a charter to himself, and James his son, of the barony of Torthorwald, 8th January 1622, also of the town of Hawick, 16th May 1623. He entertained King James VI. at his house of Drumlanrig, in 1617, and was created a peer, by the title of Viscount of Drumlanrig, Lord Douglas of Hawick and Tibberis, to him and his heirs male bearing the name and arms of Douglas, by patent, dated at Whitehall, 1st April 1628. When Charles I. visited Scotland in 1633, his Majesty was pleased to advance the

Inq. Ret. vi. 64. Mag. Sig. L. l. No. 13, 227.

Carmichael's Tracts, 140, 141.

Queensberry. Viscount of Drumlanrig to the title of Earl of Queensberry, to him and his heirs male bearing the name and arms of Douglas, by patent, dated at Seton, 13th June 1633. He had a charter of the baronies of Sanquhar and Cumnock, in the counties of Dumfries and Ayr, 16th June 1638; and died on the 8th of March 1640. He married Lady Isabel Ker, fourth daughter of Mark, first Earl of Lothian, and by her had issue,

Mag. Sig. L. lit. No. 130. L. iv. No. 44.

Balf. Ann. MS.

1. *James*, second Earl of Queensberry.

2. Hon. Sir *William* Douglas of Kelhead.

3. Hon. *Archibald* Douglas of Dornock, ancestor of the Douglases of Dornock.

4. Hon. *George* Douglas, died unmarried.

1. Lady *Margaret*, married to James, first Earl of Hartfell, and had issue.

2. Lady *Janet*, married to Thomas, second Lord Kirkcudbright, and died without issue, 1651.

XI. James, second Earl of Queensberry, the eldest son, was served heir of his father, 20th May 1640; took the part of Charles I. in the civil wars, and was on his way to join Montrose after the battle of Kilsyth in August 1645, when the leading men of the district of Glencairn intercepted and took him prisoner. A fine of 120,000 marks Scots was imposed on him by the parliament, 1645, which he paid; and by Cromwell's act of grace and pardon, 1654, another fine of L. 4000 sterling was imposed on him. He died in 1671. He married, first, Lady Mary Hamilton, third daughter of James, second Marquis of Hamilton; but by her, who died 29th October 1633, had no issue; secondly, Lady Margaret Stewart, eldest daughter of John, first Earl of Traquair, high-treasurer of Scotland, by whom he had nine children,

Inq. Ret. xvi. 99.

Balf. Ann.

1. *William*, third Earl of Queensberry.

2. Hon. *James* Douglas, who applying to the study of the law, was admitted a member of the Faculty of Advocates. Afterwards going into the army, he was made colonel of the guards in Scotland in July 1684, had the rank of lieutenant-general, and died at Namur in 1691. He had issue, but his male line is extinct.

Fountainhall, I. 267.

3. Hon. *John* Douglas, killed at the siege of Treves in 1673.

4. Hon. *Robert* Douglas, killed at the siege of Maestricht, 1676.

1. Lady *Mary*, married to Alexander, third Earl of Galloway, and had issue.

2. Lady *Catherine*, married to Sir James Douglas of Kelhead, baronet, and had issue.

3. Lady *Henriet*, married to Sir Robert Grierson of Lag, and had issue.

4. Lady *Margaret*, married, first, to Sir Alexander Jardine of Applegirth, and had issue; secondly, to Sir David Thoirs.

5. Lady *Isabel*, married to Sir William Lockhart of Carstairs, and had issue.

Queensberry.

XII. William, third Earl of Queensberry, the eldest son, born 1637, had charters of the office of sheriff and coroner of the county of Dumfries, 1664 and 1667; was sworn a privy-councillor 1667, and succeeded his father 1671. He had the appointment of justice-general of Scotland in June 1680, and of extraordinary lord of session, 1st November 1681; was created Marquis of Queensberry, Earl of Drumlanrig and Sanquhar, Viscount of Nith, Torthorwald, and Ross, and Lord Douglas of Kinmonth, Middlebie, and Dornock, to him and his heirs male whatsoever in all future time, by patent, dated at Whitehall, 11th February 1682; and, in April following, obtained a warrant authorising the the lyon king at arms to give to him, and his heirs for ever, the double tressure, as it is carried in the royal atchievement. He was constituted high-treasurer of Scotland by commission, dated 12th May 1682, giving up, on that occasion, the place of justice-general; and he was appointed constable and governor of Edinburgh Castle, 21st September 1682. He had the chief power in Scotland during the later days of Charles II., and was created Duke of Queensberry, Marquis of Dumfries-shire, Earl of Drumlanrig and Sanquhar, Viscount of Nith, Torthorwald, and Ross, Lord Douglas of Kinmonth, Middlebie, and Dornock, to him and the heirs male of his body, by patent, dated at Whitehall, 3d November 1684, contain-

Crawf. Off. St. 419. Carta penes D. Queensberry. D.

Carmichael's Tracts, 141.

Crawf. Off. St. 420.

Queensberry. ing this proviso, that the grant and acceptation of this patent to the said Marquis, now Duke of Queensberry, and the heirs male of his body, neutiquam derogare aut præjudicare diplomati perprius ipsi et hæredibus suis masculis quibuscunque, de titulo et dignitate Marchionis de Queensberry concesso, aliisque titulis et dignitatibus inibi expressis, quos, deficientibus hæredibus masculis ex suo corpore, nequaquam præjudicare et innovari hoc nostro diplomate declaramus. On the accession of King James VII., his Grace was continued in all his offices, and nominated high commissioner to represent his Majesty in his first session of parliament, which sat down at Edinburgh, 23d April 1685. Never was a parliament assembled more unanimous or obsequious: they acknowledged the absolute power of the sovereign; the whole nation, fit for arms, was devoted to his service; the excise was annexed to the crown for ever; and the land-tax conferred on the King for life. The treasury being put into commission in 1686, his Grace was appointed president of the council; but not complying with the King's wishes for taking away the penal laws against popery, he was deprived of his public employments the same year, and retired to the country, where he employed himself in building the magnificent seat of Drumlanrig. Concurring in the revolution, he, with others of the Scotish nobility, waiten on the Prince of Orange to request that he would take the administration of affairs into his hands, and call a convention. His Grace was appointed a second time an extraordinary lord of session, 23d November 1693; and dying at Edinburgh, 28th March 1695, æta. 58, was buried at Durrisdeer, where a magnificent monument is erected to his memory.

His Grace married, in 1657, Lady Isabel Douglas, sixth daughter of William, first Marquis of Douglas, by whom he had three sons and one daughter.

1. *James*, second Duke of Queensberry.

2. *William*, first Earl of March.

3. Lord *George* Douglas, died unmarried at Sanquhar in July 1693, buried at Durrisdeer. His father presented the books belonging to this young nobleman to the library of the Faculty of Advocates at Edinburgh, where the presses containing them are thus inscribed: "Libb. incompa- "rabilis adolescentis D. D. Geo. Doug- "las, quos pater Guil. Dux de Queens- "berrie, illo mortuo, Facultati Advocato- "rum donavit, hisce tribus for. inclusi." Queensberry.

Daughter, Lady *Anne*, married, in 1697, to David, Lord Elcho, afterwards third Earl of Wemyss; her clothes taking fire while at prayers, 13th February 1700, she was so severely scorched that she died 21st February, leaving two sons. Her descendant, Francis, Earl of Wemyss, succeeded, in 1810, to the great estates of the Queensberry family in the county of Peebles, which were settled on her and the heirs male of her body, in failure of heirs male of the bodies of her brothers and father.

XIII. James, second Duke of Queensberry, born at Sanquhar Castle, 18th December 1662, was educated at Glasgow University. Returning from his travels in 1684, he was sworn a privy-councillor, and made lieutenant-colonel of Lord Dundee's regiment of horse, from which he was displaced 1688. Entering heartily into the revolution, he joined the Prince of Orange at Sherborn, 30th November 1688. By King William he was appointed colonel of the sixth or Scotish troop of horse-guards, (which he held till 1696) a privy-councillor, and one of the gentlemen of his bed-chamber; he was made a commissioner of the treasury in 1692, and, in 1693, was authorised to sit and vote in parliament as lord high-treasurer. On the death of his father in 1695, he quitted the army; was appointed an extraordinary lord of session in his room; also keeper of the privy-seal, and represented the King as high-commissioner to the parliament of Scotland, 1700, acquitting himself so much to his Majesty's satisfaction, that he was nominated a knight of the Garter, 18th June 1701, and installed at Windsor 10th July following. Queen Anne appointed his Grace secretary of state, and her commissioner to parliament, 1702 and 1703; but not being able to carry on affairs smoothly in Scotland, and being accused of endeavouring to create a misunderstanding between the Queen and

Queensberry. her subjects by a sham plot, which had almost set the parliament of England by the ears, he was soon afterwards deprived of all his offices, except that of lord of session, which could not be taken away. However, in 1705, his Grace was appointed keeper of the privy seal, and a lord of treasury, and nominated one of the commissioners for the treaty of union. His Grace being selected to carry through this important national undertaking, was constituted high commissioner to the last Scotish parliament in 1706, and happily concluded the union, in spite of most powerful opposition, with consummate address, skill, and ability, in 1707. This event occasioned general rejoicings in England; the Duke, who had been threatened and execrated by the populace in his own country, was there esteemed by every order. Setting out for London with a splendid equipage in April 1707, he was very much caressed, and received with demonstrations of joy. At Berwick, Newcastle, Durham, and the other great towns through which he passed, he was waited on and complimented by the magistrates. Every where the people running together testified their joy at the happy event to which he had been so instrumental. At Barnet, Highgate, and other places near London, the Queen's ministers, and the members of both houses of parliament, waited upon him in their coaches, so that there never was so great and joyful a concourse of people since the entry of James VI., at the union of the two crowns. A pension of L. 3000 per annum, out of the post-office, was settled on his Grace, the whole patronage of Scotland was vested in his hands, he was created a British peer, 26th May 1708, by the title of Duke of Dover in Kent, Marquis of Beverley and Earl of Rippon in Yorkshire, with remainder to his second son Lord Charles, and took his seat as such in the House of Lords, 19th November following, being introduced between the Dukes of Somerset and Ormond. At the general election of representatives of the Scotish peerage, 17th June 1708, his Grace's vote was protested against; and, 17th January 1709, the House of Lords resolved, "that a peer of Scotland claim-"ing to sit in the House of Peers by vir-"tue of a patent passed under the great Queensberry. "seal of Britain after the union, and who "now sits in the parliament of Great Bri-"tain, had no right to vote in the elec-"tion of the sixteen peers, who are to re-"present the peers of Scotland in parlia-"ment;" of course his Grace's vote was disallowed, as was also his vote as proxy for the Earl of Delorain. His Grace was appointed joint keeper of the signet along with the Earl of Dartmouth; and 9th February 1709, was nominated third secretary of state, a new office then instituted, which he held till his death, which happened after a short indisposition in Albemarle Street, London, 6th July 1711, in the 49th year of his age. A contemporary describes Macky's Memoirs. his Grace as a gentleman of a good estate, of a fine natural disposition, but apt to be influenced by those about him, of a genteel address, much the manner of a man of quality, of easy access, thin, of a black complexion. According to Collins, he was a person esteemed by all who had the honour to know him, and not only well versed in the affairs of state, but justly qualified with all other necesary virtues that were requisite for a faithful and prudent discharge of those great trusts and employments bestowed on him. He was of a steady and unalterable loyalty, and on all occasions gave sufficient proof that the good of his country was what he chiefly aimed at. He had a great sense of the goodness of Queen Anne, for the many favours received from her Majesty, whom he honoured and respected in his heart, and was by her always esteemed a good and faithful servant. As to his domestic affairs, he was master of a most admirable frame of temper, that made all easy about him, a great observer of his word, and, finally, a man of sound religion and excellent morals. His Grace, on the 14th of June 1706, resigned into the hands of Carmichael's Tracts, 143. the Queen his titles of Duke of Queensberry, Marquis of Dumfries-shire, Earl of Drumlanrig and Sanquhar, Viscount of Nith, Torthorwald, and Ross, and Lord Douglas of Kinmont, Middlebie, and Dornock, and obtained a new patent, dated at Windsor Castle, 17th June 1706, granting those titles to him and his heirs of entail, male or female, succeeding to the property

Queensberry. and estate of Queensberry, with this proviso, that such heirs of entail should be descended from the body of William, first Earl of Queensberry. In this resignation the titles of Marquis and Earl of Queensberry, Viscount of Drumlanrig, Lord Douglas of Hawick and Tibbers were not included; of course, the destination thereof to his heirs male whatsoever was not altered.

His Grace married, 4th December 1685, Mary Boyle, fourth daughter of Charles, Lord Clifford, eldest son of Richard, Earl of Burlington and Cork, a lady who, for constancy of mind, evenness of temper, solidity of judgment, and an unaffected piety, left a shining character as well as example to posterity, and whose conduct as a wife, a mother, and in all other conditions of life, rendered her loss a lasting grief to her relations. She and her husband were true patterns of conjugal love and affection. Her Grace died, after a long illness, at London, on the 2d of October 1709, in the 39th year of her age, having had seven children,

1. *William*, Earl of Drumlanrig, born 18th May 1696, died an infant seven months old.

2. *James*, Earl of Drumlanrig, born 2d November 1697, died after 1707.

3. *Charles*, third Duke of Queensberry.

4. Lord *George* Douglas of Drumerief, in the county of Dumfries, born 20th February 1701, a young nobleman of great hopes, who died at Paris in 1725, æta. 24, unmarried.

1. Lady *Isabel*, died young.

2. Lady *Jean*, married, 5th April 1720, to Francis, Earl of Dalkeith, afterwards Duke of Buccleuch, and had issue, and died 31st August 1729. Her grandson, Henry, Duke of Buccleuch, succeeded, as heir of entail, to the dukedom of Queensberry, and great estates in Dumfries-shire, in 1810.

3. Lady *Anne*, married, 25th January 1733, to the Hon. William Finch, ambassador to the states of Holland, brother of Daniel, Earl of Winchelsea and Nottingham; she died without issue, 26th October 1741. Her husband, by a second wife, was father of the present Earl of Winchelsea and Nottingham.

XIV. CHARLES, third Duke of QUEENSBERRY, and second Duke of Dover, born at Edinburgh, 24th November 1698, was created Earl of Sollaway, Viscount of Tibberis, and Lord Douglas of Lockerbie, Dalveen, and Thornhill, by patent, dated at Windsor Castle, 17th June 1706, to him and the heirs male of his body; which failing, to his brother Lord George, and the heirs male of his body; which failing, to the younger sons of James, Duke of Queensberry, not succeeding to the dignity of Duke of Queensberry, and the heirs male of their bodies. He succeeded his father 1711; and, 24th November 1719, the lord chancellor acquainted the House of Lords that he had that morning received a message from the Duke of Dover, signifying that he came of age at that day, and desiring that he might have a writ of summons to parliament. Doubts being raised as to his right to such summons, he renounced the patent of Earl of Sollaway, and presented to the King a petition, which was referred to the House of Lords, 18th December 1719. Counsel were heard for the Duke, and the lord advocate and solicitor general of Scotland for the crown, particularly on this point, how far, by the law of Scotland at the time of the union, a patent to create an infant a peer of Scotland might be refused or waved at his coming of age, or at any time after. The house came to a determination, 14th January 1720, when it was resolved and adjudged, that the Duke of Dover had no right to a writ of summons to parliament. His Grace was a privy-councillor, and lord of the bed-chamber to George I., and was appointed vice-admiral of Scotland by George II.; but he and his Duchess having given offence by their patronage of the poet Gay, they were forbid the court; and his Grace attached himself to Frederick, Prince of Wales, who constituted him one of the lords of his bed-chamber *. On the accession of George III. he was sworn a privy-councillor, appointed keeper of the great seal of Scotland, 1761, and 16th April 1763, lord justice-general, which Queensberry.

* Under the jurisdiction act 1747, he was allowed for the sheriffship of Dumfries-shire L. 5000, and for the regality of New Delgarno L. 1621, 8s. 5d.; in all, L. 6621, 8s. 5d., in full of his claim of L. 14,800.

Queensberry. he held till his death. His Grace was a most estimable and benevolent character, and a true friend to his native country, whose prosperity he took every opportunity of zealously promoting. In 1778, he was honoured with a visit of the King and Queen at his seat of Ambresbury in Wiltshire; on his way to London to return thanks for that mark of distinction, he hurt his leg stepping out of his carriage; a mortification ensued, which terminated in the death of this good and venerable nobleman, at London, on the 22d of October 1778, in the 80th year of his age, and he was buried at Durrisdeer.

His Grace married, 10th March 1720, Lady Catherine Hyde, second daughter of Henry, Earl of Clarendon and Rochester, a lady celebrated for extraordinary beauty, wit, and sprightliness, by Pope, Swift, and other poets, particularly by Prior, in his well known ballad beginning,

Thus Kitty, beautiful and young,
And wild as colt untam'd,

and noted for her steady support of Gay, on whose account the Duke and Duchess were embroiled with the court, and to whose memory they erected a monument in Westminster Abbey, with an incription by Pope. At the funeral of the Princess Dowager of Wales, 1772, her Grace walking as one of the assistants to the chief mourner, occasioned these verses by Horace Walpole, Earl of Orford,

To many a Kitty Love his car
Would for a day engage;
But Prior's Kitty, ever fair,
Obtain'd it for an age.

After a matrimonial union of more than 57 years, her Grace died at London on the 23d of August, 1777, and was buried at Durrisdeer, having had two sons,

1. *Henry*, Earl of Drumlanrig, born 30th October 1722, who was educated at the college of Winchester,

When Bigg presided, and when Burton taught,

and at the University of Oxford. Betaking himself to a military life, he served two campaigns under the Earl of Stair, and one under Charles Emanuel, King of Sardinia. In this campaign he signalized himself so much, particularly at the siege of Coni, that his Majesty ordered his ambassador at London to wait on the Duke of Queensberry to thank him for the services performed by his son. In May 1747, his Lordship got a commission to raise a regiment of two battalions and twenty companies in the Highlands of Scotland, for the service of the States of Holland, the nomination of the officers being left entirely to him. This was accordingly done, and he went to Holland; the second battalion being disbanded, 1748-9, his Lordship hired transports to bring the men to Scotland, paid the freight, and laid in provisions for them, all at his own expence. He married, at Hopetoun House, 24th July 1754, Lady Elisabeth Hope, born 1st March 1736, eldest daughter of John, second Earl of Hopetoun. After passing some weeks in Scotland, they proceeded to England along with his father, mother, and brother; Lord Drumlanrig, riding before the carriages, was killed by the going off of one of his own pistols, near Bawtry in Yorkshire, 19th October 1754, in his 32d year. The Countess never recovered the shock; and dying childless, 7th April 1756, in her 21st year, was buried with her husband at Durrisdeer.

Queensberry.

2. *Charles*, Earl of Drumlanrig, born 17th July 1726, who was also educated at Winchester and Oxford. He was chosen Member of Parliament for the county of Dumfries, at the general election 1747, and rechosen 1754, but he became disqualified to sit on his brother's death that year, when a new writ was ordered. The state of his health rendering it necessary to leave Britain for a warmer climate, he went, in 1755, to Lisbon, where he happened to be on the 1st of November that year, when the fatal earthquake happened. He was writing a letter to his father when it commenced, and he was occupied from nine till two o'clock clambering over ruins till he got into a place of safety. Returning home next year, he died at Ambresbury in Wiltshire, on the 24th of October 1756, in the 31st year of his age, unmarried, and was buried at Durrisdeer.

The Duke of Queensberry thus having had the misfortune of losing both his sons, without issue, in his lifetime,

Impositi regis juvenes ante ora parentum,

his British titles of Duke of Dover, &c. as

Queensberry. also his Scotish earldom of Sollaway, became extinct; but the dukedom of Queensberry, with very large estates both in England and Scotland, devolved on his cousin William, Earl of March and Ruglen, descended from, Queensberry.

XIII. Lord WILLIAM DOUGLAS, second son of William, first Duke of Queensberry, who got from his father the castle of Niedpath, and a considerable estate in the county of Peebles, purchased from the Tweeddale family. In the reign of James VII. he was lieutenant-colonel of a regiment of horse; was a nonjuror for some years after the accession of William III.; but at last taking the oaths to government, was created a peer of Scotland, 20th April 1697, by the title of Earl of March, Viscount of Peebles, Baron Douglas of Neidpath, Lyne, and Mannerhead, by patent, to the heirs male of his body, which failing, to the other heirs male and of entail, contained in his infeftments of the lands of the barony of Neidpath. He took the oaths and his seat in parliament, 21st July 1698. He obtained from Queen Anne a commission to be governor of the castle of Edinburgh during pleasure, dated 31st December 1702; this commission was recalled October 1704; and his Lordship dying at Edinburgh, 2d September 1705, was buried at Peebles. A contemporary said of him, "he is no great genius, Macky's Memoirs. "but is a good-natured gentleman, hand-"some in his person." He married Lady Jean Hay, second daughter of John, first Marquis of Tweeddale, high chancellor of Scotland. The marriage contract was dated 12th October 1693; by it the barony of Niedpath, and the whole estates of the family in the county of Peebles were settled on the heirs male of his body; remainder to the heirs male of the bodies of his brother and father; remainder to his sister Lady Anne, and the heirs male of her body, with other remainders. By her his Lordship had three sons and three daughters,

1. *William*, second Earl of March.

2. Hon. *John* Douglas of Broughton, *, in the shire of Peebles, who was chosen Member of Parliament for that county at the general election, 1722, rechosen in 1727, and dying unmarried, a new writ was issued, 21st March 1732.

3. Hon. *James* Douglas of Stow, in the county of Edinburgh, who died unmarried before 1732.

1. Lady *Isabel*, died 9th April 1780.
2. Lady *Mary*, died 15th March 1781.
3. Lady *Jean*, deceased; all unmarried.

XIV. WILLIAM, second Earl of MARCH, born about 1696, succeeded his father 1705, and died at Barnton, in the county of Edinburgh, 7th March 1731, in the 35th year of his age. He married Lady Anne Hamilton, eldest daughter of John, Earl of Selkirk and Ruglen; she was born 5th April 1698; and, on the death of her father, 3d December 1744, became Countess of Ruglen in her own right. She married, secondly, in January 1747, Anthony Sawyer, Esq. paymaster of the forces in Scotland, without issue, and died at York, on her way to London, 21st April 1748 *, just as she had completed the 50th year of her age. By her first husband she had an only child,

XV. WILLIAM, third Earl of MARCH, born 16th December 1725, who succeeding his father in 1731, was placed under the guardianship of his uncle, John Douglas of Broughton. That gentleman dying in 1732, Charles, Duke of Queensberry and Dover, as nearest agnate, was served tutor at law of his Lordship †. On the death of his mother in 1748, he succeeded to the earldom of Ruglen, and to the estates of that family in the counties of Edinburgh and Linlithgow. In 1759 he claimed the titles of Earl of Cassillis and Lord Kennedy as heir general; but his claim was dismissed by the House of Lords, and those titles adjudged to Sir Thomas Kennedy of Cullean, Bart. 27th January 1762; and his Lordship was also unsuccessful in a liti-

* See Appeal Case in 1750, Anthony Sawyer, Esq. against William, Earl of March and Ruglen, for a bond of L. 10,575, assigned by the Countess to Mr Sawyer, 26th June 1747.

† His allowance under the jurisdiction act 1747 was, for the sheriffship of the county of Peebles, L. 3200, and for the regality of Linton and Newlands L. 218, 4s. 5d., in all, L. 3418, 4s. 5d., in full of his claim of L. 5500.

Queensberry. gation for the estates of the Cassillis family. On the accession of George III., 1760, his Lordship was nominated one of the additional lords of the bed-chamber; invested with the order of the Thistle 1761, being the first appointed by his Majesty; constituted vice-admiral of Scotland, 1767; held that office till 26th October 1770, when he was nominated first lord of police, which he lost on the abolition of that board, 1782. He succeeded his cousin, in 1778, as fourth Duke of Queensberry, thus uniting in his person three distinct peerages. He was chosen one of the sixteen representatives of the Scotish peerage, at the general election 1761; was rechosen 1768, 1774, 1780, and 1784, and was created a British peer, by the title of Baron Douglas of Ambresbury, in Wiltshire, 8th August 1786, with limitation to the heirs male of his body. No new election was ordered in room of his Grace and the Earl of Abercorn, in the same predicament, till the subject was brought before the House of Lords, who, in a committee of privileges, 13th February 1787, determined that the Duke of Queensberry, who was chosen to be one of the number of sixteen peers who, by the treaty of union, are to represent the peerage of Scotland in parliament, having been created Lord Douglas of Ambresbury, by letters patent under the great seal of Great Britain, doth thereby cease to sit in this house as a representative peer. At the election of two representative peers to supply their places, 28th March 1787, the votes of the Duke were protested against, as well as those of all the peers of Scotland created peers of Great Britain since the union. The proceedings on this question have been already detailed under the title Earl of Abercorn; it was finally determined, 13th May 1793, in favour of the right of such peers to vote for representative peers of Scotland. His Grace held the office of lord of the bed-chamber till 1789, when it was thought proper to dismiss him from an office immediately about the person of the sovereign, on account of his supporting the right of the Prince of Wales to assume the regency, independent of the consent of parliament, and signing the protest to that effect, 26th December 1788. His Grace was well known on the turf and in the Queensberry. circles of fashion; and after possessing a peerage for eighty years, died at London on the 23d of December 1810, in the 86th year of his age, unmarried *. In him terminated the male line of William, first Duke of Queensberry, the descendants of John, Earl of Ruglen, and of William, Earl of March. The titles of Earl of Ruglen, Viscount of Riccartoun and Lord Hillhouse, which were granted to the first Earl of Ruglen, and the heirs whatsoever of his body, became extinct, as also the British title of Baron Douglas of Ambresbury, limited to the heirs male of the Duke's body. The titles of Duke of Queensberry, Marquis of Dumfries-shire, Earl of Drumlanrig and Sanquhar, Viscount of Nith, Torthorwald, and Ross, Lord Douglas of Kinmont, Middlebie, and Dornock, with the barony of Drumlanrig, and other extensive property in the county of Dumfries, devolved, in terms of the patent 1706, and in virtue of an entail executed by the second Duke, on Henry, Duke of Buccleuch, the heir of line of the Queensberry family, who was thenceforward designed Duke of Buccleuch and Queensberry. The titles of Marquis and Earl of Queensberry, Viscount of Drumlanrig, Lord Douglas of Hawick and Tibbers, devolved on the heir male of the family, Sir Charles Douglas of Kelhead, baronet, in terms of the patents 1628, 1633, and 1682, along with the baronies of Tinwald and Torthorwald, and other estates in Dumfries-shire, in virtue of an entail executed by the third Duke. The titles of Earl of March, Viscount of Peebles, and Lord Douglas of Neidpath, Lyne, and Munard †, appear to have devolved on the Earl of Wemyss, the patent being to Lord William Douglas, et hæredes masculos de ejus corpore, quibus deficientibus, alios ejus hæredes masculos et tallias contentos in ejus infeofamentis terrarum et Dominii de Neidpath. The lands and lordship of Neidpath were assigned by the

* It is a remarkable circumstance, that the dukedom of Queensberry was possessed by only two individuals from July 1711 to December 1810, a period of one hundred years.

† At page 173, these titles were erroneously stated as extinct.

Queensberry. marriage-contract of Lord William Douglas, in the nature of a strict entail by the first Duke of Queensberry, to Lord William, and the heirs male of his body; which failing, to James, Earl of Drumlanrig, and the heirs male of his body; which failing, to the said Duke himself, and the heirs male of his body; which failing, to Lady Anna Douglas, his lawful daughter, and the heirs male of her body, with several other remainders. The Earl of Wemyss, heir male of the body of Lady Anna Douglas, accordingly succeeded to the lands and lordship of Neidpath, in terms of this contract, by which the Duke bound himself to infeft Lord William Douglas, and his heirs male and of tailzie therein mentioned, in that lordship; and the patent of the earldom of March being in the same terms, it is understood that his Lordship also succeeded to the titles. The English property of Ambresbury in Wiltshire went, in virtue of a settlement executed by the third Duke, to Archibald, Lord Douglas of Douglas. The personal fortune, amounting to about a million sterling, was devised in legacies to various persons, the Earl of Yarmouth being residuary legatee. Sir Charles Douglas of Kelhead, now Marquis of Queensberry, derives his descent from

XI. The Hon. Sir WILLIAM DOUGLAS of Kelhead, second son of William, first Earl of Queensberry, who was an officer in the army, and had a charter of part of the lands of Prestongrange, to Colonel William Douglas and Agnes Fawsyde his wife, dated 1st March 1644. He was governor of Carlisle 1647, being so designed in his daughter Mary's contract of marriage that year; was created a baronet by patent, dated 20th February 1668, and died before 1673. He married, first, Agnes, daughter and heiress of Fawsyde of Fawsyde, a gentleman of an antient family, that had been seated for four centuries at Fawsyde Castle, in the parish of Tranent and county of Haddington, by whom he had issue,

1. *William*, who predeceased his father, unmarried.

2. Sir *James* Douglas of Kelhead.

3. *Robert*, who appears as a consenter to his sister Sophia's contract of marriage, 1672.

4. *Archibald*, a colonel in the army, who Queensberry. married, and left one daughter.

5. *George*, a captain in the army.

1. *Mary*, married, contract dated 28th Penes M. January 1647, to John Johnston of Wamph- Queensberry. ray, who died in 1656, leaving one daughter, Jonet, served heir in special of her father in Wamphray and other lands, 23th November 1657.

2. *Catherine*, born 10th April 1638, mar- Edin. Reg. ried to Menzies of Stenhouse.

3. *Sophia*, married, contract dated 29th August, and 9th September 1672, to John Craik of Stewartoun.

There were several other children of this marriage, of whom are entered in the registers of Edinburgh, Isabel, born 24th October 1635, Margaret, born 3d April 1637, and Sarah, born 17th November 1641. Sir William Douglas of Kelhead married, secondly, contract dated 1649, Jean Stewart, of the Traquair family, relict of Andrew Riddell of Hayning, by whom it is uncertain whether he had any issue.

XII. Sir JAMES DOUGLAS of Kelhead, baronet, the eldest surviving son, born 19th September 1639, succeeded his father, and was, on the 5th March 1696, served heir in general of his elder brother William. He was a party to his son's contract of marriage, 8th September 1705, and died before April 1708. He married, contract dated 28th October 1667, Lady Catherine Douglas, second daughter of James, second Earl of Queensberry, and by her had one son,

XIII. Sir WILLIAM DOUGLAS of Kelhead, baronet, who succeeded his father, and died in 1733. He married, contract dated 8th September 1705, Helen, daughter of Colonel John Erskine, deputy-governor of the castle of Stirling; and by her, who died 26th July 1754, had ten sons and four daughters,

1. Sir *John* Douglas of Kelhead.

2. *William*, who died unmarried in 1786.

3. *Charles* Douglas of Breconwhat, in the county of Dumfries, in the civil service of the East India Company, who married Mrs Young, a widow lady in India, by whom he had one daughter, who died

in her youth; he died at London, 13th December 1770, when his estate devolved, in virtue of an entail executed by himself, on his nephew Sir William Douglas of Kelhead.

4. *James* Douglas, physician in Carlisle, who married a daughter of Sir Patrick Maxwell of Springkell, in the county of Dumfries, baronet, by whom he had two sons, William and James, who both died unmarried, and five daughters; Helen, married to ——— Maxwell, Esq. London; Mary, married to ——— Middlemore, Esq. Lincolnshire; Charlotte, married to Alexander Maxwell, younger, of Terraughty; Joanna, married to John Forbes, Esq. London; and Elisabeth.

5. *Archibald*, died young and unmarried.

6. *Stewart* Douglas, an officer in the army, who was promoted to a company of foot for his gallant behaviour at the battle of Dettingen, 1743; and died a lieutenant-general, and colonel of the 99th regiment of foot, at London, 30th June 1795.

7. *Erskine* Douglas, physician at Hexham, in Northumberland, who died at Brompton, 10th February 1791; he married Mrs Witters, a widow lady, by whom he had one son, William, who died young, and four daughters: 1. Frances Catherine, married to Daniel Sandford, D. D. a bishop of the Scots episcopal church. 2. Wilhelmina. 3. Clementina, married to Douglas Macmurdo, Esq. 4. Helen, married, 17th August 1796, to Henry William Hardy, Esq. captain in the 47th regiment of foot.

8. *Francis Edward* Douglas, who was a merchant in India, married Mrs Hunter, a widow lady, and died at Mansfield, in the county of Nottingham, 21st June 1793, without issue.

9. *David* Douglas, who married a daughter of William Thomson, Esq. Annan, and had fifteen children: 1. William, late lieutenant-colonel to the 85th regiment of foot, married to Catherine, youngest daughter and coheiress of William Johnston of Lockerby; they have one son and one daughter. 2. James Douglas, Esq. 3. John Erskine, captain in the royal navy. 4. Dunbar Hamilton Douglas, lieutenant in the ninth regiment of infantry, who died in the West Indies, 1792. 5. Charles, midshipman in the royal navy, lost in the Stirling Castle in the West Indies, 1780. 6. David, midshipman in the royal navy, died at sea, 1789. 7. Stewart, a lieutenant in the 74th regiment of foot, who died in the East Indies, 1792. 1. Helen, married to Robert Halliday, Esq. 2. Janet, died young. 3. Catherine, died young. 4. Catherine. 5. Margaret. 6. Jane. 7. Fanny. 8. Janet, died unmarried.

10. *Thomas*, midshipman in the royal navy, lost in the Victory, Sir John Balchen's flag-ship, in 1744.

1. *Catherine*, married, in 1725, to Sir William Maxwell of Springkell, baronet, who was born 10th August 1703, and died 14th June 1760, æta. 57. She died at Springkell, 29th September 1761, æta. 54. All their children died young, except Catherine, who died unmarried, 15th April 1763, and Sir William Maxwell of Springkell, baronet, who died 4th March 1804, æta. 65. He married, 24th March 1764, Margaret, daughter of Sir Michael Stewart of Blackhall, in the county of Renfrew baronet, by whom he was father of, 1. William Maxwell, esquire, born 23d January 1765, who died unmarried, 19th August 1784, in his 20th year, on board the Chesterfield East Indiaman, on his passage from Bombay to China. 2. Michael Stewart Maxwell, born 21st July 1768, colonel of the Dumfries-shire light-dragoons, who died unmarried at Springkell, 15th October 1803, æta. 35. 3. Patrick, born 9th June 1770, an ensign in the sixth regiment of foot, drowned by the oversetting of a boat in Shelburn river in Nova Scotia, on service with his regiment. 4. Major-General Sir John Shaw Stewart Heron Maxwell of Springkell and Kerrochtree, baronet, born 29th June 1772, who was lieutenant-colonel of the 23d regiment of light-dragoons, and was chosen Member of Parliament for the boroughs of Dumfries, &c. 1807. He married, 4th January 1802, Miss Heron, only daughter of Patrick Heron of Heron, Member of Parliament for Kirkcudbright stewartry, niece of the Earl of Dundonald, by whom he has issue, William, born 24th October 1803, died 29th June 1810; Patrick, born 1st January 1805; John, born 7th

Queensberry. March 1808; Michael, born 8th November 1809; Margaret, born 24th October 1804; Jane, born 4th June 1806; Mary, born 17th September 1811. 1. Helenora, born 13th December 1765, married, 28th January 1788, to Claud Alexander of Ballochmyle. 2. Catherine, born 7th January 1767, married, 24th September 1787, to her cousin Michael Stewart Nicolson of Carnock.

2. *Jean*, married to Hugh Maxwell of Dalswinton, in the county of Dumfries, and had a numerous family, of whom four sons and one daughter arrived at maturity.

3. *Helen*, married to Captain John Erskine of the American regiment, and had one son, who died in childhood. She died at Edinburgh, 28th January 1766.

4. *Mary*, died unmarried.

XIV. Sir JOHN DOUGLAS of Kelhead, baronet, the eldest son, succeeded his father 1733, and was chosen Member of Parliament for the county of Dumfries, at the general election 1741. He was taken up in July 1746, on suspicion of favouring the cause of the abdicated family. A message to that effect was sent by the King to the House of Commons, 5th August, and he was committed to the Tower of London, 14th August 1746. He was liberated on bail in March 1748, and died at Drumlanrig, 13th November 1778. He married Christian, born 23d April 1710, sixth daughter of Sir William Cunningham of Caprington, in the county of Ayr, baronet, by Janet Dick, heiress of Prestonfield; and by her, who died in November 1741, had eight children,

1. Sir *William* Douglas of Kelhead.

2. *James Charles Sholto* Douglas, who was bred to the English bar, and held the office of collector of the customs in Jamaica. He married, first, Basilia, daughter of James Dawes of Rockspring, in Jamaica, widow of Richard Quarrell, Esq. of the same island, by whom he had three sons: 1. James Sholto Douglas, a major in the army, residing at Chichester, who married Sarah, daughter of James Dawes of Rockspring in Jamaica, by whom he has three sons, James Dawes Douglas, a lieutenant-colonel in the army, and now commanding the 8th Portuguese regiment in Portugal; George Robert Douglas, a lieutenant in the royal navy; and Sholto Douglas, a cadet at the royal military college. 2. John Graham Douglas, who died in 1807, without issue. 3. Stair Douglas, who was appointed captain in the royal navy, 13th September 1797, and resides at Ashling, near Chichester; he married Anne, daughter of John Payne of Stubbington House, in Hampshire, by whom he has an infant son, Stair Douglas. James Charles Sholto Douglas married, secondly, Mary, daughter of Richard Bullock, D.D. prebendary of Westminster, and rector of Streatham in Surry, and had one daughter, Lucy Maria Douglas, who married the Rev. Thomas Newton, and died in 1811; and two sons, 1. Charles Douglas, who died without issue in 1806. 2. Edward Bullock Douglas, who married, in 1811, Harriet, daughter of Richard Bullock, D.D. rector of Streatham in Surry, and St Paul's, Covent Garden, London.

3. *Stair* Douglas, who was appointed captain in the royal navy, 29th May 1762, and died, unmarried, at Richmond, 8th April 1789.

4. *John* Douglas, who died at Madras 1759, unmarried.

1. *Helen*, died unmarried.

2. *Janet*, married at Prestonfield, 13th November 1767, to William Irving of Bonshaw, and had one son and one daughter.

3. *Christian*, did young.

4. *Catherine*, married at Prestonfield, 13th November 1767, to William Butter, M. D. London, without issue.

XV. Sir WILLIAM DOUGLAS of Kelhead, baronet, the oldest son, was chosen Member of Parliament for the boroughs of Dumfries, &c. at the general election 1768; rechosen in 1774; succeeded his father 1778, and died 16th May 1783. He married, at Edinburgh, 21st March 1779, Grace, eldest daughter and coheiress of William Johnston of Lockerby, in the county of Dumfries, and by her had issue,

1. Sir *Charles* Douglas of Kelhead.

2. *Archibald Johnston* Douglas of Lockerby, an officer in the 18th regiment of foot, lost in the Courageux of 74 guns, on the coast of Barbary, 2d December 1796, unmarried.

Queensberry.

Queensberry.

3. *John* Douglas of Lockerby.
4. *Henry Alexander* Douglas.
5. *William Robert Keith* Douglas.
1. *Mary.*
2. *Christian.*
3. *Catherine Heron.*

XVI. Sir Charles Douglas of Kelhead, the eldest son, succeeded his father in 1783, in the title of baronet and estate of Kelhead; and on the death of William, fourth Duke of Queensberry, 23d December 1810, inherited the titles of Marquis and Earl of Queensberry, Viscount of Drumlanrig, Lord Douglas of Hawick and Tibbers, and the baronies of Tinwald and Torthorwald, and other estates in the county of Dumfries. The Marquis married, at Richmond, 13th August 1803, Lady Caroline Montagu, third daughter of Henry, Duke of Buccleuch and Queensberry, and by her has issue,

1. Lady *Caroline Elisabeth*, born 11th July 1804, died at Dalkeith House, 7th April 1811.
2. Lady *Louisa Anne*, born 24th June 1806.
3. Lady *Mary Elisabeth*, born 4th November 1807.
4. Lady *Harriet Christian*, born 22d July 1809.
5. Lady *Jane Margaret Mary*, born 15th January 1811.

Titles.—Charles Douglas, Marquis and Earl of Queensberry, Viscount of Drumlanrig, Lord Douglas of Hawick and Tibbers, and baronet.

Queensberry.

Creations.—Viscount of Drumlanrig, Lord Douglas of Hawick and Tibbers, 1st April 1628, to the first Viscount and his heirs male, bearing the name and arms of Douglas. Earl of Queensberry, 13th June 1633, to the first Earl and his heirs male, bearing the name and arms of Douglas. Marquis of Queensberry, 11th February 1682, to the first Marquis and his heirs male whatsoever. Baronet of Nova Scotia, 26th February 1668.

Arms.—Quarterly: 1st and 4th, Argent, a heart, gules, imperially crowned, proper, on a chief, azure, three mullets of the field, for Douglas; 2d and 3d, Azure, a bend between six cross crosslets, fitchee, Or, for the earldom of Marr; [the whole four quarters within a bordure, Or, charged with the double tressure of Scotland, flowered and counterflowered, gules, qu.?]

Crest.—On a wreath, a heart, gules, imperially crowned, proper, between two wings expanded, Or.

Supporters.—Two pegasi, or flying-horses, argent, their manes, wings, tails, and hoofs, Or.

Motto.—*Forward.*

Seat.—Kinmount House, in the county of Dumfries.

MACKAY, LORD REAY.

Reay.

Hist. Suth. 302.

According to Sir Robert Gordon, this antient family is descended from Walter, reported to have been son of a predecessor of Lord Forbes: the arms of Mackay are not dissimilar to those of Forbes, and in the public register is a charter to Hugh M'Ky Forbes of Far, and Donald M'Ky Forbes his eldest son, to be afterwards noticed. Walter was chamberlain to the bishop of Caithness, by whose daughter Conchar, he had a son called Martin, who obtained from his grandfather the bishop, some church lands in Strathnaver. Martin, who was killed at Keanlochcylk, in Lochaber, had a son called Magnus, who had two sons, Morgan,

Reay.

Roay. and Farquhar, ancestor of the Clan Wic Farquhar in Strathnaver. From Morgan, the eldest son, the whole family of Macky is generally called Clan Wic Worgan. He had a son, Donald, who married the daughter of Y Mackneill Ghika, by whom he had a son Y, so called from his maternal grandfather. Y begat Donald, who was called Donald Mack Y, that is, Donald the son of Y, since which time the family hath been called Macky. Y and his son Donald were killed in the castle of Dingwall by the Earl of Sutherland, 1395. Donald Macky left four sons: 1. Angus. 2. Houcheon Dow Macky. 3. Neill Macky. 4. Martin Macky, from whom the laird of Lairgs in Galloway descended. Angus Macky, the eldest son, married a sister of Malcolm Macleod of Lewis, by whom he had two sons, Angus Dow Macky and Roriegald. Angus Dow Macky, the eldest son, raised his followers to oppose Donald, lord of the isles, in 1411, and engaged him at Dingwall; but was overpowered by superior numbers, and made prisoner, and his brother Roriegald was slain. Donald of the isles having detained Angus a while in captivity, released him, and gave him his daughter in marriage. Angus Dow, called leader of four thousand Mackys of Strathnaver, having invaded Caithness in 1426, was summoned to appear before King James I. at Inverness in spring 1427, and arrested, but released on giving his son Neill as a hostage for his good behaviour. He died the next year, 1428. Neill Macky, his son, when he was given as a hostage for his father, was sent to the Bass, and was thenceforward called Neill Wasse (Bass) Macky. After his release, he invaded Caithness in 1437, and died not long afterwards, leaving by his wife, of the name of Munro, two sons, Angus, and John Roy Macky, ancestor of the Sleaght Ean Roy. Angus Macky, the eldest son, with the Keiths, invaded Caithness in 1438, and defeated the inhabitants of that district in an engagement at Blaretannie. He was burnt to death in the church of Tarbet by the men of Tarbet, whom he had often molested, in 1442-3. He married a lady of the Clan Cheinzie, by whom he had a daughter, married to Sutherland of Dilred, and three sons: 1. John Reawigh Macky, who had a conflict with the men of Ross, 11th July 1487, and defeated them; he died without issue. 2. Y Roy Macky. 3. Neill Naverigh Macky, who was beheaded by his nephews John and Donald; he had two sons, who were both killed in his lifetime by his nephew Donald. Y Roy Macky, the second son, succeeded his brother John. He apprehended his nephew Alexander Sutherland of Dilred, who had murdered Alexander Dunbar, husband of Margaret, Dowager Countess of Sutherland, and sent him, with ten of his followers, to King James IV., who ordered them to be executed. The King granted a charter, dated at Inverness, 4th November 1499, to Odo, alias Y Macy, pro bono et fideli servititio tam tempore pacis quam guerræ impenso, et asportatione nobis quondam Alexandri Sutherland de Dilred, et aliarum decem personarum ejus complicum, nostrorum rebellorum, omnes et singulas terras de Fare, Gosesbey, Catack, Croyn, Kilblachman, in vicecom. de Inverness, quæ quidem terræ cum suis pertinen. fuerunt quondam dicti Alexandri Sutherland hereditarie, et nunc nobis pertin. ratione forisfacturæ dicti quond. Alexandri. Y Roy Macky gave his bond of service to Adam, Earl of Sutherland 1516. He had four sons, and two daughters, the one married to the laird of Assint, and the other to Alexander Sutherland, natural brother of Elisabeth, Countess of Sutherland; the sons were, 1. Neill, who died without issue. 2. John, who succeeded his father, and died in 1529; he had a natural son, John Mor Macky, who died without male issue, and two natural daughters, married to Houcheon Morray of Aberscors, and to the laird of Pulrossie. 3. Donald. 4. Angus, slain at Mornish, near Tain, ancestor of the Slaight Angus Macky. Donald Macky, the third son, succeeded his brother 1529, and was a politic and wise gentleman. It was probably this Donald of whom the Earl of Northumberland said in a letter to Henry VIII., in September 1532, that Macky had gone from Scotland to Ireland with 7000 men, and another 1000 had recently been added, that James V. had taken from Argyll the government of the Hebrides, and many

Roay.

Crawf. Peer. 421.

Pinkerton, II. 317.

Reay.

lands there and in the extremity of Scotland, which were granted to Macky. A charter was granted to Helen Sinclair, wife of Donald Macky of Far, of Balinthaglis and other lands in the county of Inverness, on the resignation of the said Donald, 22d February 1545-6. He died before 15th June 1565, when Queen Mary granted to Henry, Earl of Ross (Lord Darnley) the barony of Far, &c. quæ quondam Donaldo Macky de Far perprius pertinuerunt, et ob ejus decessum in manibus regiæ ratione eschaetæ devenerunt. This Donald Macky had a son,

Mag. Sig. L. xxix. No. 319.

L. xxxii. No. 478.

I. Y Macky, who obtained possession of his father's lands from the Earl of Huntly, to whom a gift of the same had been made by the crown. He had several conflicts with the Earl of Sutherland, to whom surrendering himself in 1556, he was sent prisoner to the castle of Edinburgh. Being released, he returned to Strathnaver, where he conducted himself turbulently, till his death in 1571. By his wife, Barbara Sinclair, daughter of the laird of Dun, he had three sons.

1. *Donald*, who was blind, and died without issue.

2. *Hucheon.*

3. *William*, who married Isabel, daughter of Roderick Mackenzie of Redcastle, and had issue: 1. Angus Macky of Bighouse, who died in 1634 of witchcraft; the witch was apprehended and executed. He married, first, Jean Elphinstoun, niece of Alexander, Lord Elphinstoun, and had issue; his son, William Macky, had a charter of Bighouse, 9th November 1633; secondly, in 1631, Jean, eldest daughter of the Hon. Sir Alexander Gordon of Navidale, without issue. 2. Y. 3. Donald. 1. Anne, married to Adam Gordon of Kilcalmkill. 2. Marion.

L. liv. No. 168.

II. Hucheon Macky, the second, but eldest surviving son, succeeded his father 1571, being then eleven years of age, was served heir of him 1st November 1589, and had a charter of the lands of Broneach, Kinnald, &c. in the county of Inverness, to Hugh Macky Forbes of Far, and Donald Macky Forbes, his eldest son, 26th May 1608. He died at Tongue, 11th September 1614, in the 55th year of his age, generally beloved and bewailed. He was very liberal, if not rather inclining towards prodigality, and yet he preserved the antient inheritance of his predecessors free from any burden of debt; he was most faithful and trusty wheresoever he promised his friendship; a sure and sincere performer of his word. Finding his countrymen consumed almost with civil discords and slaughters, by the iniquity of the times, he conducted himself so, that in a short space they were all finally reconciled. He delighted in hunting and public conventions; but fearing that such meetings would produce dissensions, he gave them over, till in the end all quarrels were quite forgotten. He bred and brought up the young men still in his own company, that by daily conversing together familiarly, they might accustom themselves mutually to love one another. He married, first, Lady Elisabeth Sinclair, second daughter of George, fourth Earl of Caithness, relict of Alexander Sutherland of Duffus, and by her, who was divorced, had a daughter,

L. xx. No. 173.

Reay.

Hist. Suth.

Christian, married to John Macintosh of Dalzell.

He married, secondly, in December 1589, Lady Jean Gordon, born 1st May 1574, eldest daughter of Alexander, eleventh Earl of Sutherland. She died 20th February 1615, æta. 41. They were happy in their mutual love; she was one of the most comely women in the kingdom, and she was no less modest and religious than beautiful. They had issue,

1. *Donald.*

2. *John* Macky of Strathy, who, in 1614, travelled into France, where he remained two years, and married, in 1619, a daughter of James Sinclair of Murkle, by whom he had Hucheon Macky and other children. He was probably ancestor of Lieutenant-General Robert Mackay, commander-in-chief of the forces in Scotland 1689, killed at the battle of Steinkirk, 3d August 1692.

1. *Annas*, married in 1619 to Alexander Sinclair of Brimmes.

Reay.

2. *Mary*, married, in 1619, to Hector Monro of Clynes, brother of Robert Monro of Foulis.

Hist. Sath.

III. DONALD MACKY of Far, the eldest son, born February 1590-1, succeeded his father 1614; had a charter of the office of coroner of the island of North Kintyre, the lands of Armadail, and others, 28th December 1615; was introduced to King James VI., and knighted at Theobalds, 1616. He was created a baronet, 18th March 1627; had a charter, Domini Donaldo Macky de Strathnaver, militi, of the lands of Sandside, Reay, &c. united into the barony of Reay, 19th February 1628, and was advanced to the dignity of the peerage, by the title of Lord Reay, by patent, to him and his heirs male for ever, dated 20th June 1628. He obtained leave from King Charles I., in 1626, to raise men for Count Mansfeldt's army in Germany, and assembled 3000, most of whom embarked at Cromarty in October 1626. Lord Reay falling sick could not accompany them, but the next year proceeded to Germany, and entered into the service of the King of Denmark. He returned to Britain in 1628 for a fresh supply of men, and went back to Denmark. After two campaigns against the imperialists, his regiment received an honourable discharge. Instead of disbanding his men, Lord Reay and his regiment enlisted under the banner of Gustavus Adolphus, King of Sweden, 1630; and he returned to Britain in 1631, having behaved himself valiantly, to the great credit and glory of the nation. One David Ramsay having declared that Lord Reay had said, that the troops raised by the Marquis of Hamilton for the service of Gustavus Adolphus, were in reality to be employed in placing the Marquis on the throne of Scotland, Lord Reay peremptorily denied the accusation. Ramsay still affirming the truth of what he had asserted, Lord Reay challenged him to combat. A high court of chivalry was constituted by commission under the great seal, to Robert, Earl of Lindsey, appointed, in hunc effectum, high constable of England, and the Earl of Arundel earl marischal. The combat was appointed to be held in Tothil-Fields, Westminster, 12th April 1631, the parties to be armed with a long sword, a short sword, a pike, and dagger; it was adjourned to the 17th of May, and on the 12th of May the court assembled and declared that they had not found David Ramsay guilty of treason, nor was the treason intimated made appear by the Lord Reay; yet they found that he had seditiously committed many attempts against his Majesty, the reformation whereof the King reserved to himself. They were both committed to the Tower of London till they found security to keep the peace, and then Lord Reay returned home. He proceeded to Denmark in 1643, and arrived from thence with ships and arms, and a large sum of money, for the service of Charles I., at Newcastle, in 1644. That town being taken by storm by the Scots the same year, Lord Reay was made prisoner, lost all his effects, and a pension he had from the King of Denmark was discontinued. He was brought to Edinburgh, and confined in the tolbooth, from whence he was released after the battle of Kilsyth in August 1645, and went home. He embarked at Thurso in July 1648 for Denmark, where he died in February 1649, and was buried at Kirkebell, in Strathnaver. He was a man of quick wit, speedy resolution, and divers able qualities.

Mag. Sig. l. iii. No. 46.

Reay.

His Lordship married, first, in August 1610, Barbara, eldest daughter of Kenneth, Lord Kintail, sister of the first and second Earls of Seaforth, by whom he had issue,

1. *Y* Macky, who died in 1617, at the age of six years.
2. *John*, second Lord Reay.
3. Hon. *Huchcon* Macky.
4. Hon. *Angus* Macky.
1. Hon. *Jane* Macky.
2. Hon. *Mary* Macky.

His Lordship married, secondly, Rachel Winterfield, or Harrison, by whom he had two sons,

1. Hon. *Robert* Mackay Forbes.
2. Hon. *Hugh* Mackay Forbes.

Lord Reay procured a sentence of nullity of that marriage, and then married Elisabeth, daughter of Robert Thomson of Greenwich; but the judges delegates at London having found that Rachel Winter-

field, or Harrison, was the wife of Lord Reay, she came into Scotland in 1637 to prosecute him for an aliment, and he was ordained to pay her L. 2000 sterling for bypast maintenance, and L. 300 sterling yearly during his non-adherence. In 1641 a petition was presented to parliament by Dame Rachel Harrison, Lady Reay, for an order for payment of L. 2000 sterling resting to her, for the maintainance of herself and her sons, Robert and Hugh Mackay Forbes. Elisabeth Thomson died about that time, leaving one daughter alive.

Mag. Sig. L. xliv. No. 316.

IV. John, second Lord Reay, the eldest son, had a charter to John, son and heir apparent of Donald Macky of Far, of Strathnaver, and other lands in the counties of Inverness and Caithness, 1st February 1621; succeeded his father 1649; joined the royalists under Glencairn and Middleton in 1654; was taken at Balveny and imprisoned. He married Barbara, daughter of Donald Mackay of Scaury, by whom he had three sons,

1. *Donald*, Master of Reay.

2. Hon. Brigadier-General *Æneas* Mackay, who married Margaretta, Countess Pochlor; she died his widow at Tiel, in Gueiderland, 14th February 1761, aged 90.

3. Hon. Colonel *Robert* Mackay.

V. Donald, Master of Reay, the eldest son, predeceased his father, leaving, by his wife Anne, daughter of Sir George Monro of Culcairn, a son,

VI. George, third Lord Reay, F.R.S. a nobleman of parts and learning, who took the oaths and his seat in parliament, 29th October 1700. He was not present at the discussions respecting the union 1706; manifested his loyalty by raising his vassals and followers to oppose the rebels in 1715, 1719, and 1745; and died at Tongue, 21st March 1748. He married, first, Margaret, daughter of Lieutenant-General Robert Mackay of Scaury, colonel of the 21st regiment of foot, killed at Steinkirk 1692, by whom he had one son,

Donald, fourth Lord Reay.

Secondly, Janet, daughter of John Sinclair of Ulbster, in the county of Caithness, and by her had two children,

1. Hon. Colonel *Hugh* Mackay of Bighouse, major to the Earl of Sutherland's Highland regiment, 1759, who died at Bath, 12th November 1770. He was twice married, his first wife died at Bighouse, 31st March 1769; his second wife, to whom he was married at Davochmoluak, in Ross-shire, 14th April 1770, was Isabella, daughter of Alexander Mackenzie of Lentron. By her, who died at Edinburgh, 5th November 1792, he had no issue; but by his first wife he had at least three daughters, of whom Marion, married, 6th January 1758, George, fifth Lord Reay, and died without issue, 12th March 1759; Robina, died at Harrogate, 10th August 1762, unmarried; and Janet, the eldest daughter, married, 9th May 1749, Colin Campbell of Glenure, who was murdered in 1752; they had two daughters, of whom the youngest, Colina, married James Baillie, esquire, merchant in London; and the eldest, Louisa, inherited the estate of Bighouse on the death of her grandfather in 1770; she married, 11th June 1768, George Mackay of Islandhanda, and by him, who died at Scotstoun, in the county of Peebles, the seat of his brother Æneas Mackay, 6th September 1798, being then lieutenant-colonel of the Reay fencible regiment, had nineteen children. The survivors are Hugh Mackay, younger of Bighouse; Colin Mackay, a captain in the 78th regiment of foot; Donald Mackay, an officer in the 70th regiment of foot; Charles Mackay, lieutenant in the royal navy; Honyman Mackay, a lieutenant in the army; Robert Mackay; Janet, married to Sir Benjamin Dunbar of Hempriggs, baronet; Jane, married, 10th November 1792, to George Sackville Sutherland of Uppart; Alexandrina, married to Gabriel Reid, esquire; Johanna, married to Sinclair of Forse; Louisa; Georgina; Harriet; Margaret Carr; and Forbes.

2. Hon. *Anne* Mackay, married to John Watson of Muirhouse, in the county of Edinburgh, who died 10th January 1774, æta. 73; she died 24th November 1780. Their issue were, 1. Janet, born 11th July 1726; married, 4th April 1750, to Alexan-

Reay.

der Rocheid of Inverleith, in the county of Edinburgh, and Darnchester in Berwickshire, a younger son of Sir Francis Kinloch of Gilmerton, baronet, and by him, who died 11th May 1755, had three children, James Rocheid of Inverleith; John Rocheid, an officer in the second regiment of dragoons, or Royal Scots Greys, who died unmarried, 10th April 1779; and Mary, who died unmarried in 1776. 2. Robert Watson of Muirhouse, born 26th June 1727, an officer of reputation for courage, spirit, and generosity; he was many years in the 25th regiment of foot, of which he had the appointment of lieutenant-colonel, 1763, and served with it in Germany. He was constituted deputy quartermaster-general to the forces in North Britain, with the rank of lieutenant-colonel in the army, 1758; one of the aides-de-camp to the King, with the rank of colonel, 1768; had the office of deputy-governor of Portsmouth; the rank of major-general, 1777, and of lieutenant-general 1779; and died unmarried at Aberdour, 10th May 1791, in his 64th year. 3. George Watson, born 26th January 1732, had the rank of captain in the royal navy, 11th December 1759, and died unmarried at Wooller, in Northumberland, in 1771, æta. 40.

George, third Lord Reay, married, thirdly, 11th August 1713, Mary, daughter of John Dowel, Esq. writer in Edinburgh, and by her had issue,

1. Hon. *George* Mackay of Skibo.

2. Hon. *Alexander* Mackay, who had an ensign's commission in the 25th regiment of foot in 1737; got a company in the Earl of Loudoun's new raised regiment of Highlanders, 8th June 1745; was taken prisoner by the rebels at the battle of Preston that year; had the majority of the 3d foot, 1750; the lieutenant-colonelcy of the 52d foot, 1755, and of the 39th foot in 1760. He was constituted colonel of the 122d foot in 1762; of the 65th foot in 1764; had the rank of major-general in America 1768, and in Britain, 30th April 1770. He was appointed colonel of the 21st regiment of foot, or Royal Scots Fusileers, in 1770; governor of Tynemouth and Cliffords Fort, 1772; had the rank of lieutenant-general, 1777; was constituted governor of Landguard Fort, 1778; commander-in-chief of the forces in Scotland in May 1780, and governor of Stirling Castle, 8th November 1788. He was chosen Member of Parliament for the county of Sutherland, at the general election 1761; for the boroughs of Dingwall, &c. 1768; vacated his seat 1773, and died 31st May 1789, being then a lieutenant-general in the army, commander-in-chief of the forces in Scotland, colonel of the 21st foot, and governor of Stirling Castle. He married at Ford, 24th December 1770, Margaret, daughter of Sir William Carr of Etal, in Northumberland, baronet, sister of Isabella, Countess of Errol; but had no issue by her, who married, secondly, at Holyroodhouse, 4th October 1792, James Farquharson of Invercauld, in the county of Aberdeen.

1. Hon. *Mary* Mackay, died unmarried at Edinburgh, 18th January 1762.

2. Hon. *Harriet* Mackay, died unmarried at Restalrig, 5th November 1766.

3. Hon. *Christian* Mackay, married, 15th June 1746, to the Reverend John Erskine of Carnock, D. D. one of the ministers of Edinburgh, and had issue.

4. Hon. *Marion* Mackay.

VII. DONALD, fourth Lord REAY, succeeded his father 1748, and died at Durness, 18th August 1761. He married, first, in 1732, Marian, born 6th March 1708, eldest daughter of Sir Robert Dalrymple of Castletoun, knight (eldest son of Sir Hew Dalrymple of North-Berwick, baronet, president of the Court of Session), by Johanna Hamilton, only child and heiress of John, Master of Bargeny, eldest son of William, second Lord Bargeny; and by her, who died in December 1740, aged 33, had a son,

George, fifth Lord Reay.

He married, secondly, 2d December 1741, Christian, daughter of James Sutherland of Pronsy; and by her, who died at Edinburgh, 18th January 1763, had a son,

Hugh, sixth Lord Reay;—and a daughter,

Hon. *Mary* Mackay, married to Major Thomas Edgar of the 25th regiment of foot.

VIII. GEORGE, fifth Lord REAY, suc-

ceeded his father in 1761, and died at Rosebank, near Edinburgh, 27th February 1768. He married, first, 6th January 1758, Marian, daughter of the Hon. Colonel Hugh Mackay of Bighouse, but by her, who died at Tongue, 12th March 1759, had no issue; secondly, 1st October 1760, Elisabeth, daughter of John Fairlie, Esq. collector of the customs at Ayr; and by her, who died at Edinburgh in November 1800, had a son, born 30th April 1766, who died young, and three daughters,

1. Hon. *Jean* Mackay, died at Edinburgh, 13th February 1773, unmarried.

2. Hon. *Marianne* Mackay, born 6th December 1763, married to William Fullarton of Fullarton, in Ayrshire, Member of Parliament for that county, first commissioner of Trinidad, who died at London, 13th February 1808, leaving issue. She claimed the estate of Bargeny, disputing Sir Hew Hamilton Dalrymple's succession thereto, but without effect.

3. Hon. *Georgina* Mackay, born 12th February 1768.

VIII. Hugh, sixth Lord Reay, succeeded his half brother, 1768, and died at Skerray, 26th January 1797, unmarried, when the title devolved on Eric Mackay, son of

VII. The Hon. George Mackay of Skibo, third son of George, third Lord Reay. He was admitted a member of the Faculty of Advocates, 1737; chosen Member of Parliament for the county of Sutherland at the general election, 1754; appointed master of the mint of Scotland, on which occasion a new writ was issued for that county, 2d August 1756, and died at Tongue, 25th June 1782. He married at Embo, 13th December 1766, Anne, third daughter of Eric Sutherland, only son of the attainted Lord Duffus, by whom he had issue,

1. *George*, who died in the East Indies, 12th December 1790.

2. *Eric*, seventh Lord Reay.

3. *Alexander*, a captain in the 93d regiment of foot, married at Edinburgh, 8th April 1809, to the relict of David Ross, Esq. of Calcutta, eldest son of David Ross, Lord Ankerville.

4. *Donald* Mackay, appointed captain in the royal navy 1806.

5. *Patrick*, died an infant.

1. *Elisabeth*, died at Edinburgh, 11th April 1788.

2. *Mary*.

3. *Harriet*, died an infant.

4. *Ann*.

VIII. Eric, seventh Lord Reay, born about 1773, succeeded his cousin in 1797, and was chosen one of the sixteen representatives of the Scotish peerage, at the general election, 1806.

Titles.—Eric Mackay, Lord Reay (properly Rae), and baronet.

Creations.—Baronet of Nova Scotia, 28th March 1627. Lord Rae, 20th June 1628, by patent, to the first Lord, and his heirs male for ever, bearing the name and arms of Mackay.

Arms.—Azure, on a chevron, Or, between three bears heads, couped, argent, muzzled, gules, a *Rae* buck's head, erased, between two hands, holding daggers; all proper.

Crest.—A right hand, holding up a dagger, paleways, proper.

Motto.—*Manu forti.*

Supporters.—Two men in military habits, with muskets, in a centinel's posture, proper.

Seats.—Tongue and Skibo, in the county of Sutherland.

ROLLO, LORD ROLLO.

Rollo.

Caledonia, I. 341.

THE progenitor of the family of Rollo came over to England from Normandy with William the Conqueror, to whom he was nearly related. RICHARD DE ROLLO, of this Anglo-Norman house, settled in Scotland in the reign of David I., whose charters he witnessed. He also witnessed a charter of Robert de Brus of the manor of Ailewick before 1141. ROBERT ROLLOCHE obtained from King David II. charters of some property in Perth, and of the lands of Threepwood in Lanarkshire.

Ibid.

Robertson's Index, 30, 31.

I. JOHN DE ROLLO obtained from King David II. a charter of a tenement in Edinburgh, dilecto et fideli suo Johanni Rollo, 23d July 1369. John Rollo was notary public to the act of settlement of the crown of Scotland by King Robert II., 27th March 1371; and he witnessed a charter of Laurence de Haya at Perth, 30th November 1376. He obtained from King Robert II. a charter, dated at Methfen, 14th February 1380-1, approving of that grant which de nostro consensu et assensu, et deliberatione consilii, carissimus filius noster David Comes Palatinus de Strathern et Comes Cataniæ fecit et concessit dilecto et fideli nostro Johanni Rollo de terris de Fyndony cum pto de Duny, et de terris de Drumcroube et de Ladcathy in comitatu de Strathern, to be held in one free tenement by the said John, and the heirs male of his body; which failing, to Duncan Rollo, son of the said John, and the heirs of his body; which failing, to the heirs whatever of the said John. He was clerk and secretary to King Robert III., from whom he got a grant of ten pounds sterling per annum out of the customs of Innerkeithing, for his good and faithful service, 20th August 1400. He died in the beginning of the reign of James I., and was succeeded by his son,

Penes D. Rollo. D.

Robertson's Index. Appendix, and p. 118.

Reg. Mag. Sig. 142.

Carta penes, D. Rollo. D.

II. DUNCAN ROLLO of Duncrub, who, under the designation of Duncan Rollo, burgess of Edinburgh, witnessed a charter to John Forrester of Cortorphin, 20th August 1406. He also witnessed a charter of Robert, Duke of Albany, to his son John, Earl of Buchan, 1413 *. He is stated to have been father of

Rollo. Robertson's Index, 162.

III. ROBERT ROLLO of Duncrub, who, in the first edition, is mentioned as one of the lords of the articles and judges of causes in the parliament of King James II., at Edinburgh, 9th October 1437. The real date, however, is 9th October 1467, as appears from the records of parliament; and Robertus Rowok is one of the auditores querelarum therein.

Records of Parl. and Cessions of Scotland. D. bility.

Rec. Parl. 141.

IV. ROBERT ROLLO of Duncrub, said to have been his son, had a charter of part of the lands of Petty, 23d December 1466; he is stated to have been father of

Mag. Sig. L. vii. No. 98.

V. WILLIAM ROLLO of Duncrub, who had a charter, Willielmo Rollock de Duncroub, of the lands of Laidcaty, &c. united into the barony of Duncroub, 26th August 1511. He had by his wife, a daughter of the family of Oliphant, a son,

L. xvii. No. 110.

VI. ROBERT ROLLO of Duncrub, who, under the designation of Robert Rollo, son and heir apparent of William Rollo of Duncrub, witnessed a charter, 21st August 1504. He probably fell at the battle of Flodden, 9th September 1513. In the parliament, 25th November 1513, John, Lord Drummond, became surety for Jonet Grahame, the relict of umquhile Robert Rollock of Duncroub, that the profits of the lands, &c. pertaining to the said Robert, should be forthcoming to the utility of Andro Rollock, his son and heir, to his perfect age, and shall make count yearly before the Lords of Council, that the same

L. xiv. No. 137.

Rec. Parl. 338.

* David Rollock had a charter of one-fourth of Balfour, Balcanquhall, Petmedy, Balzordie, &c. 23d October 1423. Mag. Sig. vii. 71.

Rollo.

shall be put to the sustentation of the said heir, his brother and sister.

Mag. Sig. L. xxvii. No. 84. L. xxx. No. 236. L. xxxv. No. 85.

VII. Andrew Rollo of Duncrub, the eldest son, had a charter to Andrew Rollok of Duncrub, and Mariot Rollok his wife for life, and George their son in fee, of the lands of Bello, Bokello, Petty, and other lands, united into the free barony of Duncrub, and erecting the Kirktoun of Dunning into a burgh of barony, dated 21st May 1540. He had a charter of Edindonyng in Perthshire, 6th July 1546, and was dead before 4th November 1579, when a charter passed the great seal of the lands of Easter Rossy, in Perthshire, to the late Andrew Rollock of Duncrub. He married Mariot, daughter of Sir David Rollo of Ballachie, by whom he had issue,

1. *George.*

2. *James* Rollo of Thanesland.

3. *William* Rollo of Ballogrie.

L. xliii. No. 215.

4. Sir *Walter* Rollok of Lautoun, who got a charter to him and Dominæ Jeaume Stewart, his wife, of the barony of Gardin, 19th September 1601. Their eldest son, Andrew Rollock, was served heir of his father, Sir Walter, in the barony of Gairden, in Forfarshire, 14th June 1604.

Inq. Ret. iii. 99.

1. *Marjory*, married, first, to George Graham of Inchbraco; secondly, to John Graham of Balgowan.

2. *Mary*, married to Laurence Oliphant of Gask.

Mag. Sig. L. xxxiv. No. 172, 466.

VIII. George Rollo of Duncrub, the eldest son, was served heir of his father in the barony of Edindonyng, 1st November 1573, had charters of a third of Petmady, in Perthshire, 18th March 1572-3, of Pitmache, &c. in Strathern, to him and Walter, his brother, on the resignation of Laurence, Lord Oliphant, 23d March 1576; and dying without issue, 6th May 1581, was succeeded by his brother,

Crawf. Peer. 423.

VIII. James Rollo of Duncrub, formerly of Thanesland, who died in May 1584. He married Agnes, daughter of Robert Collice of Balnamoon, by whom he had a son,

Andrew;—and two daughters *.

1. *Marian*, married to James Bruce of Ponfoul.

2. *Jean*, married to Alexander Blair of Rossiehall.

Rollo.

Mag. Sig. L. xlix. No 43.

IX. Sir Andrew Rollo of Duncrub, the only son, a man of parts and integrity, was knighted by King James VI., and had a charter, Andreæ Rollock de Duncrub, militi, of the barony of Rossie in Perthshire, 26th June 1621. He obtained a commission from King Charles I. of the office of sheriff-principal of the county of Perth, dated at Holyroodhouse, 25th September 1633, was served heir of his uncle George, in lands in Forfarshire, 20th December same year, and had charters of the lands of Kippan, 5th February 1639, and of the barony of Tullicultre, in the county of Clackmannan, 1st March 1644. King Charles II., in consideration of the antiquity of his family, and the constant fidelity of his ancestors to the crown, created him a peer, by the title of Lord Rollo of Duncrub, to him and his heirs male whatsoever, by patent, dated 10th January 1651. He was fined L. 1000 sterling by Cromwell's act of grace and pardon, 1654, and dying in June 1659, was buried at Dunning on the 12th of that month.

Penes D. Rollo.

Inq. Ret. xiii. 184.

Crawf. Peer. 423.

Lamont's Annals, MS.

He married the Hon. Catherine Drummond, fourth daughter of James, first Lord Maderty, by whom he had nine children,

1. *James*, second Lord Rollo.

Mag. Sig. L. lv. No. 235.

2. Hon. Sir *John* Rollo, who had a charter to John Rollock, second son of Sir Andrew Rollok of Duncrub, and his wife, of the lands of Bannockburn and Skeoch, united into the barony of Bannockburn, 25th July 1636. He died in March 1666. Andrew, Lord Rollo, was, on the 14th of March 1672, served heir male and of conquest of Sir John Rollo of Bannockburn, knight baronet, his uncle, in the lands of Bannockburn and part of the lands of Skeoch.

Inq. Ret. xxxi. 9.

3. Hon. *Laurence* Rollo of Rossie.

4. Hon. *Andrew* Rollo, minister of Dunning.

5. Hon. Sir *William* Rollo, a young

* A charter was granted, 8th December 1599, of the lands of Moss-side and Ingramscruck, in Stirlingshire, to David Rollok of Powhouse, and Isabel Rollock his wife. She was probably a third daughter of James Rollo. Mag. Sig. L. xlii. No. 80.

Rollo.

gentleman of excellent parts and of unblemished reputation for loyalty and courage, who, from the beginning of the civil wars, heartily engaged in the service of Charles I., joined the Marquis of Montrose, when he declared for the King, was taken at Philiphaugh in September 1645, and executed at the market-cross of Edinburgh, 28th October 1645.

Guthrie's Memoirs, 208.

1. Hon. *Margaret* Rollo, married to John Drummond of Carnock, and had issue.

2. Hon. *Jean* Rollo, married, first, to John Rollo of Powhouse; secondly, to John Drummond of Pitkellony.

3. Hon. *Anne* Rollo, married to William Mercer of Clevedge.

4. Hon. *Isabel* Rollo, married to William Halliday of Tillibole.

X. JAMES, second Lord ROLLO, the eldest son, was knighted by King Charles I., and had a charter, Domino Jacobo Rollok, juniori de Duncrub, of the barony of Duncrub, 8th March 1642. He married, first, Lady Dorothea Graham, third daughter of John, fourth Earl of Montrose; but by her, who dying 16th May 1638, was buried at Holyroodhouse, 8th June following, had no issue; secondly, Lady Mary Campbell, youngest daughter of Archibald, seventh Earl of Argyll, by whom he had issue,

Mag. Sig. L. lvii. No. 129.

Balf. Ann. MS.

1. *Andrew*, third Lord Rollo.

2. Hon. Major *Archibald* Rollo.

1. Hon. *Margaret* Rollo, married to Sir George Oliphant of Newton.

2. Hon. *Marion* Rollo, married, first, to Mr Robert Forrest, minister; secondly, to the laird of Garvell.

Morrison's Decisions, 1796.

XI. ANDREW, third Lord ROLLO, succeeded his father 1669, and died 1st March 1700. He married, in November 1670, the Hon. Margaret Balfour, eldest daughter of John, third Lord Burleigh, and by her, who died at Edinburgh, 20th October 1734, had issue,

Lamont's Annal's, MS.

1. *John*, Master of Rollo, a young nobleman of good reputation, who was killed by Patrick Graham, younger of Inchbraco, with the sword of James Edmonston of Newton, 20th May 1691. They were visiting at Invermay, where words passed betwixt the Master and Graham. Going home on horseback after supper, when it was quite dark, it appears they had an encounter; one of the witnesses swore that he found the Master lying mortally wounded, supported by Clevedge, who crying out, such a horrid murder was never seen, Edmonston said, I think not so, I think it was fairly done; and he assisted Graham to make his escape. Edmonston was tried for accession to that murder before the high Court of Justiciary at Edinburgh, 5th August 1695, and sentenced to be banished for life. Graham was, by the same Court, on the 11th of November 1696, fugitated for the murder and slaughter of umquhile John, Master of Rollo.

Rollo.

Justiciary Records.

2. *Robert*, fourth Lord Rollo.

1. Hon. *Emilia* Rollo, married, 2d September 1698, to William Irvine of Bonshaw, in the county of Dumfries, and died his widow, at Bonshaw, 20th March 1747, æta. 71.

Edin. Reg.

2. Hon. *Isabella* Rollo, married to Robert Johnston of Wamphray, in the county of Dumfries, and had issue.

3. Hon. *Susan* Rollo, married to Robert Gillespie of Cherryvalley, in Ireland, and was grandmother of the gallant Major-General Robert Rollo Gillespie, whose eminent services in India, particularly in the reduction of the island of Java, are universally known and acknowledged.

4. Hon. *Jean* Rollo, died unmarried at Inchdairnie, 21st April 1760.

XII. ROBERT, fourth Lord ROLLO, the only surviving son, succeeded his father 1700, took the oaths and his seat in parliament, 11th May 1703, and supported the treaty of union. He assisted at the great council of the rebels, 26th August 1715, and died at Duncrub, 8th March 1758, in the 78th year of his age. He married Mary, eldest daughter of Sir Harry Rollo of Woodside, in the county of Stirling, knight; and by her, who died at Perth, 16th April 1765, æta. 80, had issue,

Minutes of Parliament.

Rae's Hist. Reb.

1. *Andrew*, fifth Lord Rollo.

2. Hon. *Henry* Rollo, born at Blackness Castle, 12th June, and baptised there, 26th June 1705. He married Anne, only

Carriddon Reg.

sister of James, third Lord Ruthven; but by her, who afterwards married Frederick Bruce of Bunzeon in Fife, had no issue.

3. *John*, sixth Lord Rollo.

4. Hon. *Clement* Rollo, who died at Duncrub, 14th January 1762; he married Mary Emilia, eldest daughter of John Irvine of Bonshaw, and had issue: Robert, a captain in the 42d regiment of foot, who settled in America about 1784; John, barrackmaster at Perth; and Mary, who died at Perth, 12th October 1776.

1. Hon. *Mary* Rollo, married to David Drummond of Pitkellony, in the county of Perth, and had issue.

2. Hon. *Jean* Rollo, married to her cousin-german, Robert Johnston of Wamphray, colonel in the service of the States of Holland, and had issue. She died at London, 9th January 1780; her husband 20th February following.

3. Hon. *Isabel* Rollo, married at Duncrub, 6th September 1746, to John Aytoun of Inchdairnie, in Fife, and died at Inchdairnie, 24th November 1751; her children were, Major-General Roger Aytoun of Inchdairnie; Mary, married to John, seventh Lord Rollo; Euphemia, married to John Drummond of Keltie; and Jane, married to Dr Eason, physician at Manchester.

XIII. ANDREW, fifth Lord ROLLO, the eldest son, was an instance of the attraction which a martial life affords to an elevated mind, for he entered into the army at the age of forty, when generally the habits and inclinations are so fixed as scarcely to admit of change. He was at the battle of Dettingen, 1743, and behaved so well in that engagement, that he was promoted to a company in the 22d regiment of foot, of which he had the appointment of major, 1st June 1750, and of lieutenant-colonel, 26th October 1756. The ensuing month he sailed from Cork to the West Indies, commanded the 22d in the expedition to Louisbourg, 1758; after the surrender of that place, 26th July 1758, he was sent to take possession of the French island of St John's. He was detached from Louisbourg to assist the Hon. General Murray in the reduction of Canada; and, in August 1760, joined the general in the isle of St Ignatius near Montreal, bringing with him the 22d and 40th regiments. In 1761, his Lordship sailed from North America to the West Indies, with 2000 men under his command. He landed in Dominica, 6th June, under cover of the fire from the ships of Sir James Douglas's squadron. Night coming on, and Lord Rollo believing that the French might be considerably reinforced before morning, he resolved to attack them immediately. His troops drove the enemy from their batteries and intrenchments in great confusion, took post at head-quarters, with the loss of only two killed and four wounded, and next day the whole island submitted to his Lordship. He joined the Hon. General Monckton in Carlisle Bay, Barbadoes, in December 1761; landed on Martinique, 16th January 1762; that island surrendered, 4th February, when the general in his dispatches said, that "Lord Rollo and all the "officers deserve the highest approbation "for their animated and soldier-like con-"duct." His Lordship had the rank of colonel in the army, 19th February 1762, also that of brigadier-general in America; sailed from Martinique, 6th May 1762, to join the Earl of Albemarle at the siege of Havannah, where he commanded 2400 men; but his health being greatly impaired, by his exertions and the unhealthy climate, he was obliged to leave Cuba in July 1762, before the Havannah surrendered. His Lordship arrived in England in October 1762, and dying at Leicester, 2d June 1765, was buried with military honours in St Margaret's church-yard there, where a black marble tomb, with warlike trophies, commemorates his services.

His Lordship married, first, Catherine, eldest of the two daughters and coheiresses of Lord James Murray of Doually, brother of John, first Duke of Atholl; and by her, who died at Bristol hot wells, 28th July 1763, had several children, none of whom attained to years of maturity, except

John, Master of Rollo, who had an ensign's commission in the 22d regiment of foot, 1752; a lieutenancy in the same regiment, 1756; a company in the 77th foot, 1760; was major of brigade to his father in the West Indies, and died at Martinique, 24th January 1762, unmarried.

His death was much lamented by all the army; he was blessed with a sweet and steady temper, was affable and void of pride, the warm and sincere friend, the cheerful and facetious companion.

His Lordship married, secondly, at Edinburgh, 16th February 1765, Elisabeth, second daughter of James Moray of Abercairny, in Perthshire, but had no issue by her, who died at Abercairny, 6th May 1781.

XIII. JOHN, sixth Lord ROLLO, succeeded his brother 1765, and died at Duncrub, 26th March 1783. His Lordship married, first, Cecilia, daughter of James Johnston, merchant in Edinburgh, by whom he had a son,

James, seventh Lord Rollo.

Secondly, Miss Jane Watson of Aberdeen; but by her, who died at Perth, 9th April 1784, had no issue.

XIV. JAMES, seventh Lord ROLLO, the only son, was an officer in the marine forces; served at the taking of Pondichery and Manila, succeeded his father 1783, and died at Duncrub, 14th April 1784. His Lordship married, at Edinburgh, 4th December 1765, his cousin-german, Mary, eldest daughter of John Aytoun of Inchdairnie, in Fife, and had issue by her,

1. *John*, eighth Lord Rollo.

2. Hon. *Roger* Rollo, who was an officer in the royal regiment of artillery, and is now collector of the customs at Ayr. He married, at Glasgow, 24th February 1801, Miss Eliza B. Hunt, youngest daughter of Captain Hunt of the sixth regiment of foot, and has issue: 1. James. 2. John Ballantine. 3. Miller Hill Rollo, died at Ayr, 8th March 1806. 4. Roger. 5. Miller Ann. 6. Mary Isabella.

3. Hon. *James* Rollo, a lieutenant in the royal navy, who died of the yellow-fever at Port Royal, Jamaica, 21st November 1802.

1. Hon. *Isabella* Rollo.

2. Hon. *Jane* Rollo, married at Edinburgh, 31st March 1795, to Captain Patrick Hunter of the Bengal infantry, and has five sons and three daughters.

3. Hon. *Mary* Rollo.

4. Hon. *Elisabeth Cecilia* Rollo, married at Edinburgh, 14th November 1799, to James Carstairs Bruce of Balchristie in Fife.

5. Hon. *Margaret* Rollo, died young.

6. Hon. *Barbara* Rollo.

XV. JOHN, eight Lord ROLLO, born 23d April 1773, succeeded his father 1784; had an ensign's commission in the third regiment of foot-guards, 17th February 1790; served on the Continent during the campaigns of 1793, 1794, and 1795, and quitted the army April 1796, being then a lieutenant in that regiment. His Lordship married, at Edinburgh, 19th June 1806, Agnes, daughter of William Greig, Esq. Gayfield Place, and has issue,

1. Hon. *Mary* Rollo.
2. Hon. *James* Rollo.
3. Hon. *William* Rollo.
4. Hon. *Martha* Rollo.

TITLE.—John Rollo, Baron Rollo of Duncrub, in the county of Perth.

CREATION.—Baron Rollo of Duncrub, 10th January 1651, to the first Lord and his heirs male whatsoever.

ARMS.—Or, a chevron between three boars heads, erased, azure.

CREST.—On a wreath, a stag's head, couped, proper.

SUPPORTERS.—Two stags, proper.

MOTTO.—*La fortune passe par tout.*

SEAT.—Duncrub, in the county of Perth.

PRIMROSE, EARL OF ROSEBERY.

Rosebery.

THE surname of Primrose is local, being assumed from the lands of Primrose in Fife.

I. DUNCAN PRIMROSE, the direct ancestor of the Earl of Rosebery, was settled at Culross, in Perthshire, in the reign of Queen Mary. He married Janet, daughter of Main of Arthurhouse, by whom he had two sons,

Crawf. Peer. 408.

1. *Gilbert* Primrose, who had a charter of some lands near Culross in 1576, to Gilbert Primrose, burgess of Edinburgh, son and heir of Duncan Primrose, burgess of Culross, and to Alison Graham his wife, confirmed 1st October 1586. He was principal surgeon to James VI. and Queen Anne, and dying 8th April 1615, æta 80, was buried in the Greyfriars, Edinburgh, under a monument thus inscribed: Gilberto Primrosio, Jacobi et Annæ, Magnæ Britanniæ, Franciæ, et Hiberniæ, Regis et Reginæ, Archichirurgo, hæredes poni curarunt. Archichirurgus regius fuit, ad supremum vitæ terminum. Obiit diem, principis et populi publico luctu decoratus. A. D. 1615, die 8vo Aprilis. Sic obiit plenusque annorum et plenus honorum.

Mag. Sig. L. xxxvi. No. 224.

Monteath's Theater of Mortality, I. 30.

Vixi dum volui; volui dum Christe volebas;
Sic nec vita mihi, mors nec, acerba fuit.

He was father of Gilbert Primrose, D. D., one of the ministers of the protestant church of Bourdeaux in France, afterwards of the French church in London, chaplain in ordinary to James VI. and Charles I., installed in 1628 canon of Windsor, who died at London in 1642, leaving behind him a high reputation for learning and probity. He was author of several works: 1. Jacob's Vow. Bergerac, 1610, 4 vols. 8vo. 2 La Trompette de Sion. Bergerac, 1610, 8vo. 3. The Righteous Man's Evil, and the Lord's Deliverance. London, 1625. 4. The Christian Man's Tears and Christ's Comforts. London, 1625, 12mo. 5. The Table of the Lord. London, 1626, 8vo. He had four sons: 1. James Primrose, M. D. 2. David Primrose, minister of the protestant church at Rouen, in Normandy, 1642, esteemed one of the most learned divines of the reformed religion in France. 3. Stephen, born 12th January 1606; and, 4. John, born 24th November 1608, both particularly mentioned in Wood's Athenæ Oxonienses *.

Wood's Fasti Oxon. I. 849.

Rosebery

Wood's Athenæ Oxon II. 14.

2. Archibald.

II. ARCHIBALD PRIMROSE, the second son, a young gentleman of no small abilities, was employed by the abbot of Culross, Mr Colvill, in settling the rate of the feu-duty to be paid by the vassals of that abbey, and in managing the revenues thereof. He had a charter, Archibaldo Primrois, mineralium clerico, of the lands of Laverkay, Podone, and Hillhouse, in Annandale, 15th January 1611, acquired the lands of Burnbrae in Perthshire, and married Margaret, daughter of Bleau of Castlehill, in the same county, by whom he had three children,

Crawf. Peer. 408.

Mag. Sig. L. xlvi. No. 319.

1. *David* Primrose, who became a member of the Faculty of Advocates, acquired the lands of Whitehouse near Cramond, of which he had a charter, 17th December 1618, and died 1651. He married, first, 5th June 1608, Miss Marion Purdie, by whom he had issue: 1. Archibald, born 14th March 1609, died young. 2. Margaret, born 30th September 1610. 3. Janet, born 27th October 1611. 4. James Primrose of Whitehouse, born 31st January 1613, served heir of his father in lands in Cramond, 11th June 1651, married to Miss Sarah Leslie, by whom he had a son, James, born 28th March 1641, who died young, and one daughter, Catherine, born 28th February 1642, who succeeded her father; she married, 20th November 1655, David Heriot, Esq. advocate, and was alive in 1709, when she had property in Corstorphine. 5. Patrick, born 27th February 1614. 6. Euphame, born 31st May

L. xlix. No. 96.

Edin. Reg.

Inq. Ret. xx. 192.

* Peter Primrose, minister at Crossmichael, had a charter of the ecclesiastical lands of Crossmichael, 8th January 1624. Mag. Sig. L. i. No. 281.

Roschery. 1616. David Primrose of Whitehouse married, secondly, Alison, daughter of Logan of Cowston, by whom he had issue. 7. Catherine, born 17th November 1639. 8. Geils, born 26th March 1641. 9. David, born 30th April 1643. 10. Elisabeth, born 26th November 1644; and 11. Andrew, born 16th April 1646.

2. *James.*

Daughter, *Margaret*, married to Sir George Bruce of Carnock, ancestor of the Earls of Elgin and Kincardine.

III. James Primrose, the second son, was bred to the legal profession, and being Crawf. Peer. 408. a man of no small industry and sagacity in business, recommended himself so much to the notice of King James VI. as to be appointed in 1602 clerk of the privy-council; and he discharged the duties of that honourable employment with great fidelity and high approbation till his death in 1641. James Primrose, clerk of the council, had a gift under the great seal of the escheat of Alexander Lindsay of Dunrod, 14th November 1622, and was appointed clerk of the council for the Prince's revenues in Scotland, 17th August 1623. He married, first, Miss Sibylla Miller, by whom he had issue,

Edin. Reg. 1. *Alison*, married 24th August 1609, to George Heriot, jeweller to King James VI., one of the wealthiest subjects in the kingdom, and founder of the noble hospital in Edinburgh, which bears his name.

2. *Margaret*, married to Thomas Young of Leny, in the county of Edinburgh, Esq.

3. *Gilbert* Primrose, born 28th September 1595, who was one of the clerks of the privy-council. He died in 1637, æta. 42, Ibid. having married, 21st June 1621, Janet, eldest daughter of George Foulis of Ravelstoun, in the county of Edinburgh, and by her, who was born 18th April 1604, had thirteen children: 1. Janet, born 20th April 1622. 2. James, born 21st March 1624, was alive in 1685, and died without issue. 3. George, born 3d February 1625. 4. Sibylla, born 14th May 1626. 5. Thomas, born 22d April 1627. 6. Janet, born 30th March 1628. 7. Gilbert, born 15th November 1629. 8. Catherine, born 8th May 1631. 9. Alexander, born 27th June 1632. 10. David, born 28th July 1633. 11. Robert, born 27th February 1635. 12. William, born 7th June 1636. 13. Margaret, posthumous, born 20th March 1638.

4. *Nicholas*, born 3d October 1599.

5. *Sibylla*, born 22d November 1601.

6. *Elisabeth*, born 30th November 1606.

7. *Catherine*, born 6th June 1610.

James Primrose married, secondly, Catherine, daughter of Richard Lawson of Boghall, by whom he was father of

8. *Agnes*, born 19th September 1613.

9. *Catherine*, born 22d January 1615.

10. Sir *Archibald* Primrose of Carrington.

11. *James* Primrose, born 28th January 1619. He was also one of the clerks of council, and married Nicholas, daughter of Mercer of Aldie, by whom he had a son, James, born 18th March 1649, who died young, and one daughter, Christian, born 15th November 1647, who, on 27th January 1675, was served heir in general of Inq. Ret. her brother James, and of Alexander Mer- xxxii. 91. cer, son of Laurence Mercer of Meikleour, her uncle, (avunculus.) She married Walter, sixth Lord Torphichen, and was mother of the seventh Lord Torphichen.

12. *Euphame*, born 8th July 1621. Edin. Reg.

13. *Marion*, born 7th July 1622.

14. *Alison*, born 24th June 1623.

15. *Christian*, a twin, born same day.

16. *Nicholas*, born 18th July 1624.

17. *Alexander*, born 22d November 1625.

18. *Thomas*, born 24th March 1627.

19. *Peter*, born 28th April 1630.

IV. Sir Archibald Primrose of Carrington, the second but eldest surviving son, was born 16th May 1616, and being Ibid. a person of excellent natural parts, applied to the study of the law, in which making a notable progress, he was, 2d September 1641, appointed to the office of clerk of Crawf. Peer. the privy-council, so long and worthily 409. filled by his father. The King had so good an opinion of his fidelity, judgment, and discretion, that by a letter under his own royal hand, bearing date 8th December 1641, he ordered him to transmit weekly to court an account of what was transacted in the council, as his father had done;

Rosebery.

and this he continued to do till all private correspondence with his Majesty was prohibited. After the battle of Kilsyth, 15th August 1645, he joined the Marquis of Montrose, and was taken prisoner at the battle of Philiphaugh, 13th September same year. He was tried by the parliament at St Andrews, 1646, and found guilty of high treason; but, by the interposition of the Marquis of Argyll, his life was spared. He continued a close prisoner till the end of 1646, when in consequence of the capitulation Montrose entered into with the committee of estates, he was released. Repairing immediately to the Scotish army, where King Charles I. then was, he had the honour of knighthood conferred on him, in consideration of his services and sufferings. He promoted the engagement for the rescue of the King, 1648.

When King Charles II. marched into England, 1651, Sir Archibald Primrose attending him, was created a baronet by patent, dated at Woodhouse in our royal army, on the south borders of Scotland, 1st August 1651, "in consideration "of the many good and faithful services "performed to us and our royal father of "blessed memory, in our most special af- "fairs, and being desirous to gratify the "deservings of so faithful a servant with "some special mark of our royal favour." After the battle of Worcester, Sir Archibald's estate was sequestrated, and what sums of money could be discovered to be owing to him were discharged to be paid to him, and he being a considerable creditor on Sir John Johnston of Elphinstoun's estate, an order was issued by General Desborough strictly inhibiting the said Sir John to pay Sir Archibald any sum of money due to him, at his peril.

Crawf. Peer. 309.

1651. 410.

During the usurpation, Sir Archibald Primrose lived in a private and retired manner; but on the King's restoration he was, in August 1660, appointed lord register of Scotland, and 1st June 1661, constituted one of the lords of session by the stile of Lord Carrington. The great services he did his King and country in his office of lord register, were acknowledged by letters under his Majesty's hand, and likewise by several of his English ministers, particularly Lord Chancellor Clarendon, who wrote him in these terms: "I cannot, My "Lord, but congratulate you for the me- "ritorious part you have acted in restoring "the kingdom to its primitive honour and "interest; and I wish the same good spi- "rit may possess you to the end, and with "the same success, while we here endea- "vour to follow your example, which al- "ready hath been of great use to us." The records of Scotland having been carried away by Cromwell, Sir Archibald applied to have them returned. They were accordingly put up in casks, when Clarendon imagining that the original covenant signed by the King was among them, and being apprehensive that an ill use would be made of that paper in Scotland, unpacked the casks to search for it, although Sir Archibald promised to look carefully for it when they came down, and to send it up by a special messenger. It was not, however, found in the search, by which so much time was lost, that the records were sent down in winter, and the vessel was cast away near Berwick, to the great loss of the nation.

Rosebery.

When the Earl of Middleton in 1662, with the view of ruining Lauderdale and others, proposed that each member of parliament should, in imitation of the antient ostracism, ballot for twelve to be incapacitated from all public employments, Sir Archibald, although a friend of Middleton, opposed that measure. Thereafter, when the ministry went beyond the law, by encroachments on the rights of the subject, Sir Archibald, although solicited to enter into a strict union with them on his own terms, could never be induced to concur in any thing that had not a sufficient legal foundation, but, on the contrary, rejected all offers, however advantageous for himself, not consistent with the good of his country. He therefore joined those who appeared most zealous for the redress of grievances, which rendered him so obnoxious to the court, that he was, with the Duke of Hamilton, the Earls of Dumfries and Kincardine, and Lord Cochrane, turned out of the council; and powerful efforts were made to get him dismissed from his place of lord register. The King, however, could not, for a long time, be pre-

Rosebery. vailed on to listen to any proposal for the removal of so faithful a servant, till ministers representing the necessity they were under of having one in whom they could confide in that station, and that on account of his advanced age, Sir Archibald could have no objection to exchange it for an office of an easier nature, his Majesty gave orders to remove him from his places of lord register and lord of session, 11th June 1676, preferring him at the same time to the office of lord justice-general. But continuing firm to his party, the torrent against him became so strong, that the King was at length induced to remove him from that office, to which Sir George Mackenzie of Tarbat was appointed, 16th October 1678.

The differences between the court and country parties running high in 1679, the Duke of Hamilton, the Marquis of Atholl, and other lords, petitioned the King that the matters in dispute might be discussed in his presence; and this request being granted, his Majesty proposed that each party should send an equal number of delegates for that purpose. Sir Archibald being esteemed one of the ablest and most upright men in the kingdom, the Duke of Hamilton, the Marquis of Atholl, the Earls of Cassillis, Kincardine, and Perth, Lord Cochrane, and General Drummond, did conjunctly write pressingly that he should hasten up to London to be present at the council. The Earl of Perth, in particular, wrote him a pathetic letter, strongly representing the dangers which threatened, and were likely to overwhelm the nation, if not prevented by a speedy remedy; that now he had an opportunity of making his country happy, by removing all grievances, if he and others would do their duty, and therefore conjured him no longer to defer his journey, concluding with these words: "You see how Scotland is; you "see how your friends' reputation lies at "stake; you see there is but one pull for "it, and you see how fairly it lies at your "hands. The great God direct you to- "ward doing what is for his honour, your "country's good, your friends' interest, and "your perpetual credit."

In compliance with these pressing entreaties, Sir Archibald hastened up to London; but all the efforts of the country party were unavailing, the King supporting Lauderdale and his ministers. Sir Archibald returned with all convenient expedition to Scotland, and dying 27th November 1679, in his 64th year, was deposited in the church of Dalmeny, where his coffin bears this inscription: Hac in capsula in spe resurrectionis consignatur corpus Domini Archibaldi Primrose de Carrington, militis baronetti, sub augustissimo monarcha Carolo I. secreti concilii clerici, a restaturato Carolo II. regni ab archivis, deinceps justitiarii generalis, fato functi viii. kalend. Decembris, ætatis 63, A. D. 1679. Rosebery.

Sir Archibald possessed a great measure of sagacity and prudence, with expedients always ready at every difficulty. He had an art of speaking to all men according to their sense of things, and so drew out their secrets while he concealed his own. He said every thing necessary to persuade those he spoke to that he was of their mind, and did it in so genuine a way, that he seemed to speak his heart. He was always for soft counsels and slow methods, and thought that the chief thing a man ought to do was to raise his family and kindred, who naturally stick to him, for he had seen so much of the world, that he did not depend upon friends, and so took no care in making any. Burnet's History of his Own Times, Vol. I.

Sir Archibald acquired a very ample fortune, and made extensive landed purchases; in particular, he bought the noble barony of Barnbougle and Dalmeny from John, fourth Earl of Haddington, in 1662, for 160,000 merks.

Sir Archibald Primrose married, first, Elisabeth, eldest daughter, and coheiress, of the Hon. Sir James Keith of Benholm, second son of George, fifth Earl Marischal, and had issue,

1. *Margaret*, born 31st December 1641; married, 5th September 1661, to Sir John Foulis of Ravelstoun, Bart. Their second but eldest surviving son, George, born 10th May 1667, assumed the name and arms of Primrose, Sir Archibald having settled on him the estate of Dunipace, in the county of Stirling, on that condition. He was served heir of entail of his elder brother Archibald Primrose alias Foulis, in Edin. Reg.

Rosebery.

the barony of Dunipace, and other lands in the counties of Linlithgow and Stirling, 15th April 1685, and married, 3d April 1691, Janet, only daughter of Sir William Cunningham of Caprington, baronet. By her, who died at Prestonfield, 29th December 1738, in her 92d year, he was father of Sir Archibald Primrose of Dunipace, baronet, who engaging in the rebellion 1745, was convicted of high treason, executed at Carlisle, 15th November 1746, and his estates in the counties of Edinburgh, Linlithgow, and Stirling, forfeited to the crown. He married, first, Lady Mary Fleming, eldest daughter of John, sixth Earl of Wigton, without issue; secondly, 19th November 1724, Lady Mary Primrose, fourth daughter of Archibald, first Earl of Rosebery. She remained with her husband till his execution, when she returned to Dunipace, where she died of grief, 17th December 1746, having had eleven children, three of whom died in the course of the year 1746, while Sir Archibald lay in prison. The surviving issue were one son, Archibald, who died unmarried at Edinburgh, 28th January 1747, and seven daughters.

2. *Catherine*, married to Sir David Carnegie of Pittarrow, in the county of Kincardine, Bart.

Edin. Reg. 3. *Elisabeth*, born 7th January 1644, died unmarried.

Ibid. 4. Sir *James* Primrose of Barnbougle, knight, born 5th February 1645, who died in the lifetime of his father. He married Elisabeth, born 17th June 1650, eldest daughter of Sir Robert Sinclair of Longformacus, in the county of Berwick, baronet, and had two daughters, Elisabeth, born 9th November 1669, who died an infant; and Margaret, born 7th August 1671, married, 26th March 1691, to George Home of Kimmerghame, in the same county. Her son, Robert Home, was served heir of her, 21st April 1692.

Inq. Ret. xlii. 352.

5. Sir *William*.

Edin. Reg. 6. *Alexander*, born 29th March 1650, died young.

7. *Archibald*, born 16th January 1653, died young.

8. *Gilbert*, a major-general in the British service,* and colonel of the 24th regiment of foot from 1708 till his death in 1717, without issue. Rosebery.

Sir Archibald married, secondly, Agnes, daughter of Sir William Gray of Pittendrum. She was first married to Sir James Dundas of Newliston, in the county of Linlithgow, by whom she had an only child, Elisabeth, heiress of Newliston, married to John, first Earl of Stair, mother of the celebrated field-marshal John, second Earl of Stair. She had three children by Sir Archibald,

1. *Mary*, born 23d August 1657, died young.

2. *Grissel*, born 19th September 1661; married, first, to Francis, Lord Sempill, who died without issue 1684; secondly, in 1693, to Brigadier-General Richard Cunningham.

3. *Archibald*, first Earl of Rosebery.

V. Sir WILLIAM PRIMROSE of Carrington, the eldest surviving son, born at Edinburgh, 14th January 1649, was admitted clerk of notaries, 1st November 1666, succeeded his father in the title of baronet, 1679; and died 23d September 1687, in the 39th year of his age. He married Mary, third daughter of Patrick Scott of Thirlestane, in the county of Selkirk, and had seven children, Edin. Reg.

1. *Archibald*, born 12th October 1678, died young.

2. Sir *James*.

3. Captain *William* Primrose, killed in wars abroad.

4. *Francis*, born 19th December 1684, died unmarried.

1. *Mary*, born 20th June 1677, married to William, third Lord Bargeny, and had one daughter.

2. *Jean*, married, 29th April 1693, to Hugh Montgomery of Coylsfield, in Ayrshire, and had three daughters.

3. *Elisabeth*, born 18th December 1680, married to Charles, ninth Lord Elphinston, and had issue, and died 19th February 1738, æta. 58.

VI. Sir JAMES PRIMROSE of Carrington, baronet, the eldest surviving son, was served heir of line, entail, and provision of his father, 4th November 1687, was chosen one of the representatives of the Inq. Ret. xl. 30, 42.

Rosebery.

county of Edinburgh to the first parliament of Queen Anne, 1703, and was raised to the dignity of the peerage, by the title of Viscount of Primrose, Lord Primrose and Castlefield, by patent, dated at Saint James's, 30th November 1703, to himself and the heirs male of his body; which failing, to the heir male of Sir William Primrose his father *. His Lordship took the oaths and his seat in parliament, 6th July 1704; and dying on the 13th of June 1706, was buried on the 9d of July at Crichton. His Lordship married Lady Eleanor Campbell, youngest daughter of James, second Earl of Loudoun; and by her, who married, secondly, John, second Earl of Stair, by whom she had no children, and died at Edinburgh, 21st November 1759, had issue,

Rosebery.

1. *Archibald*, second Viscount of Primrose.

2. *Hugh*, third Viscount of Primrose.

3. Hon. *William* Primrose, died without issue.

Daughter, Hon. *Margaret* Primrose, who died unmarried at Edinburgh, 16th January 1771.

VII. ARCHIBALD, second Viscount of PRIMROSE, the eldest son, a promising youth, was served heir of his father, 25th October 1708, and died under age, and unmarried, in June 1716.

VII. HUGH, third Viscount of PRIMROSE, was served heir of his brother, 5th July 1716, went into the army, and had a captain's commission, 1727. His Lordship accompanied the Earl of Crawford as a volunteer to the Imperial army, commanded by Prince Eugene of Savoy, in 1735. After serving some time under that great general, finding no appearance of an engagement in that quarter, they joined another division of the Imperialists under Count Seckendorff. Being sent out to reconnoitre the French near Claussen, 17th October 1735, they met a party of the enemy, three times their number, when Lord Primrose was severely wounded with a musket ball, which broke his jaw-bone, and came out a little below one of his eyes. He had the commission of lieutenant-colonel of the 33d regiment of foot in December 1738, and died at Wrexham in Flintshire, 8th May 1741, in the 39th year of his age. He married, 21st June 1739, Miss Drelincourt, daughter of the Dean of Ardmagh in Ireland, but had no issue by her, who died at London, 3d February 1775. It is uncertain whether his peerage became extinct, or devolved on the Earl of Rosebery, who succeeded to his title of baronet, and to his landed property.

V. ARCHIBALD PRIMROSE of Dalmeny, only son of the second marriage of Sir Archibald Primrose, lord register, born

* As it is doubtful whether the titles of Viscount of Primrose, Lord Primrose and Castlefield, did not become extinct on the death of the third Viscount, a copy of the patent is annexed: Quandoquidem nos regio nostro animo perpendentes permulta, præclara, et utilia servitia, nostro avo Carolo I. et patruo Carolo II. per quondam Dominum Archibaldum Primrose de Caringtone, militem, baronettum, præstita et impensa, in respectivis muniis et officiis publicis sibi concreditis, qui vero durante rebellione et usurpatione (in suum particulare damnum et detrimentum) pro familia regia eminenter apparuit, et post restaurationem felicissimam, in summo munere, et officio clerici et omnium archivorum et rotulorum custodis, infra antiquum regnum nostrum Scotiæ, et denique in officio et munere justiciarii generalis, quibus ambobus dict. muniis fidelissime functus est, et in omnibus eo spectantibus grata admodum servitia præstitit, nosque abunde satisfacti de fidelitate et probitate defuncti Domini Gulielmi Primrose de Caringtone, ejus filii legitimi natu maximi, et Domini Jacobi Primrose de Caringtone, sui nepotis, ob hasce igitur aliasque magni momenti rationes, insignem et durabilem regii nostri favoris characterem, in familiam præfati quondam Domini Archibaldi Primrose, in persona memorati Domini Jacobi Primrose, sui nepotis hæredis legitimi et representativi, ac de suo corpore hæredis masculi, quibus deficien. hæredis masculi de corpore prædicti quondam Domini Gulielmi Primrose, sui patris, conferre benigniter statuimus. Quo vero ille illique nobis nostrisque successoribus, servitia notatu digniora præstare in posterum magis animentur, et incitentur, noveritis igitur nos nominasse, fecisse, constituisse, et creasse, tenoreque præsentium nominamus, facimus, constituimus, et creamus eundem Dominum Jacobum Primrose de Caringtone, Vicecomitem et liberum parliamenti dominum, in dict. regno appellandum et designandum Vicecomitem de Primrose, et Dominum Primrose et Castlefield, dando concedendo et conferendo in præfat. Dominum Jacobum Primrose, ejusque hæredem masculum sui corporis, quibus deficien. hæredem masculum prædict. quondam Domini Gulielmi Primrose, sui patris, titulum gradum dignitatem et honorem Vicecomitis et liberi parliamenti Domini, ut prædicitur, &c.

Rosebery. Edin. Reg.

18th December 1664, inherited a very considerable proportion of his father's extensive estates. After an excellent education at home, he, for his further improvement, travelled abroad, and served with the Imperial army in Hungary. In the reign of James VII., opposing the arbitrary measures of that monarch, he was, 26th June 1688, summoned before the privy-council, on a charge of leasing-making on the chancellor, and sowing discord among the officers of state; but, by the friendship of the Duke of Berwick, he obtained a countermand of the process. At the revolution he went up to Court, and was appointed one of the gentlemen of the bed-chamber to Prince George of Denmark, who always professed no small friendship for him; and, after that Prince's death, he had his salary of L. 600 per annum continued to him for life. In 1695, he was chosen one of the Members of Parliament for the county of Edinburgh; took the oaths and his seat 8th September 1696, and afforded his zealous support to the King's ministers. The Duke of Queensberry wrote Mr Carstares, 9th August 1698, "Mr Primrose "of Dalmeny is a man of very great "estate, and good sense; serves for this "shire, and by that means is called with "the first in the rolls; these things made "his vote exemplary, and he was also a "very diligent solicitor with his acquaintances. I believe you are not ignorant of "his pretensions to be a Viscount. He has "now deserved it before he gets it, while "others forget the obligations lately put "on them by titles of that same nature." The Earl of Seafield wrote to the same, Edinburgh, 6th September 1698. "You "will receive inclosed the Laird of Dal"meny and Kelburn's patents. They have "both very considerably estates, and are "both men of merit; they have served the "King cheerfully and effectually in parlia"ment, and I am sure the King cannot "do better than to give them this mark of "his favour." Mr Primrose was, by patent dated at Kensington, 1st April 1700, raised to the dignity of the peerage by the title of Viscount of Rosebery, Lord Primrose and Dalmeny, to him and the heirs male of his body; which failing, to the heirs female of his body; which also failing, to his heirs of entail in the lands of Rosebery; and he took the oaths and his seat in parliament, 29th October following.

Fountainhall, I. 308.

Carstares's State Papers,

Ibid. 438.

Rosebery.

Upon the accession of Queen Anne, his Lordship was sworn a privy-councillor, and further dignified with the titles of Earl of Rosebery, Viscount of Inverkeithing, and Lord Dalmeny and Primrose, by patent dated at St James's, 10th April 1703, to him and the heirs male of his body; which failing, to the heirs female of his body. His Lordship was selected as one of the commissioners for the important treaty of union, which he steadily supported in parliament, and was chosen one of the sixteen representatives of the Scotish peerage by the parliament of Scotland, 13th February 1707. So high was his Lordship in the estimation of his order, that, at the general election 1708, he had three more votes than any other of the candidates; and he was rechosen at the general elections 1710 and 1713. His Lordship died on the 20th of October 1723, in the 59th year of his age.

His Lordship married, in February 1690*, Dorothea, only child and heiress of Everingham Cressy of Birkin, in the county of York, Esq. representative of the antient families of Cressy, Everingham, Birkin, Cause, and Normanville, the two former of whom had summons to parliament as peers of the realm of England. Mr Townsend, Windsor herald, made a report, "that "William de Cressy was summoned to "parliament in the 22d and 25th of Ed"ward I.; and the Earl of Rosebery is, by "his grandmother Dorothea Cressy, lineally

* Brown's Cases of Appeals, I. 23. Archibald, Lord Viscount Rosebery, and Lady Dorothy his wife, appellants, and James Taylor and Elisabeth his wife, and Samuel Tyrrman, respondents. This case respected the lady's portion; the first decision by Lord Keeper North was given against her, 13th May 1685; the second decision by the commissioners, 28th July 1691, reversed the former; the third decision, by Lord Keeper Somers, 1694, reversed the second; and the decision of the House of Lords, 5th February 1702, reversed the third, giving it finally in the lady's favour, after a protracted litigation of many years. Noble, in his Biographical History of England, II. 281, mentions an engraved portrait of Dorothy Cressy, in the dress of a shepherdess, Kneller, p. R. Williams, sc. without being able to appropriate it. It is the portait of the Countess of Rosebery; the original picture is at Barnbougle Castle.

Rosebery.

"descended from, and heir general of the "family of Cressy of Birkin, in the coun- "ty of York, who doubtless came origi- "nally from the same stock, though I do "not find the descent expressly set down, "yet it is certain that they always bore the "same arms. I find also that Adam de Ever- "ingham, knight, was summoned to par- "liament from the 2d to the 9th of King "Edward II., as was his son in the 44th of "Edward III. That the said Adam de Ever- "ingham was nephew of John de Evering- "ham of Birkin, in the county of York, "whose lineal descendant and heir general, "Eleanor Everingham, married in 1587 to "Gervas Cressy, and was great-grandmo- "ther of Everingham Cressy of Birkin, "whose daughter and sole heir, Dorothea, "became the wife of Archibald Primrose, "Earl of Rosebery, and was grandmother "of the present Earl, who, by virtue of this "descent, is now heir general of the said "families of Cressy and Everingham, and "also to those of Birkin, Cause, and Nor- "manville, through Isabel de Birkin, mother "of the said John de Everingham, and "grandmother of the said Adam; but I do "not find that either Birkin, Cause, or Nor- "manville, were summoned to parliament." In virtue of this connection, the Earl of Rosebery is entitled to quarter the arms of these families with his own. The Earl and Countess had several children,

1. *James*, second Earl of Rosebery.

2. *Everingham* Primrose, upon whom, in 1694, his father settled the barony of Leny, in the county of Edinburgh, but he died young before 1698.

3. Hon. *Richard* Primrose, died unmarried before his father.

4. Hon. *John* Primrose, store-keeper of Edinburgh Castle, who died unmarried at London, in September 1742.

Dalmeny Reg.

5. Hon. *Henry* Primrose, born 22d March 1697, died in infancy.

6. Hon. *Henry* Primrose, born 5th May 1704, died young.

1. Lady *Elizabeth*, born 2d March 1696, died young.

2. Lady *Grizella*, born 19th February 1698, died young.

3. Lady *Anne*, born 2d March 1699, died young.

4. Lady *Mary*, married, 19th November 1724, to Sir Archibald Primrose of Dunipace, Bart., and had issue, as already mentioned, and died 17th December 1746.

Rosebery.

5. Lady *Margaret*, married, 15th March 1738, to Alexander, ninth Earl of Caithness, and died 7th October 1785, leaving an only daughter, Dorothea, Countess of Fife.

6. Lady *Dorothea*, died unmarried at London, 29th October 1768.

VI. James, second Earl of Rosebery, the eldest son, born towards the end of 1690, succeeded his father in 1723, and on the death of Hugh, Viscount of Primrose, 1741, inherited the family estate and the title of baronet. Whether he also succeeded to the titles of Viscount of Primrose, Lord Primrose and Castlefield, is not so clear, the narrative of the patent, already recited in the note at page 406, expressing the Queen's intention to bestow a durable mark of royal favour on the family of Sir Archibald Primrose, in the person of Sir James Primrose, his grandson, and of the heirs male of his body; which failing, of the heir male of the body of Sir William Primrose, father of Sir James; but the creation of these titles is in more extended terms, being to Sir James Primrose, and the heir male of his body; which failing, to the heir male of Sir William Primrose his father, without restricting them to the heir male of his body. As James, second Earl of Rosebery, answered the description of heir male of Sir William Primrose, it would appear that, according to the decision of the House of Lords in the Kirkcudbright case, the titles of Viscount of Primrose, Lord Primrose and Castlefield, devolved on him. His Lordship died at Edinburgh, 26th November 1755, æta. 65, and was buried at Dalmeny. He married Mary, eldest daughter of the Hon. John Campbell of Mamore, sister of John, fourth Duke of Argyll; and by her, who died at Barnbougle Castle, 8th May 1756, in the 62d year of her age, and was buried 11th May at Dalmeny, had issue,

1. *Archibald*, Lord Dalmeny, born 31st March 1717, died young.

2. *John*, Lord Dalmeny, a young nobleman of superior worth and merit, who early discovered great attention to business,

and was remarkable for public spirit and generosity. The estate of the Viscount of Primrose devolved on him through his father's contravention of the entail; and he obtained from parliament, in 1749, "An "act to enable John Primrose, Esq. com- "monly called Lord Dalmeny, to secure "a jointure to Mary, Countess of Rose- "bery, his mother, and to make provi- "sions for his brother and sister out of the "entailed estate late of Sir Archibald "Primrose, knight, deceased." His Lordship died unmarried at Edinburgh, on the 11th of August 1755, in the 31st year of his age, and was buried at Dalmeny. Soon after his death, an imitation of Horace's ode, Quis desiderio sit pudor aut modus tam chari capitis, appeared in a periodical publication, addressed to his sister Lady Dorothea.

Stat. 22. Geo. II. pr. 25.

Why strive we, Primrose, to conceal
The swelling tear, the sigh regrest,
The pangs our bleeding bosoms feel
For thy lov'd brother, sunk to rest.

3. Hon. *James* Primrose, died young.

4. *Neil*, third Earl of Rosebery.

1. Lady *Mary*, died unmarried before 1749.

2. Lady *Dorothea*, married at Barnbougle Castle, 22d November 1766, to Sir Adam Inglis of Cramond, in the county of Edinburgh, baronet, and died without issue at Bath, 3d December 1783. Her husband died at Cramond, 9th November 1772.

VII. NEIL, third Earl of ROSEBERY, the only surviving son, succeeded his father in 1755; was chosen one of the sixteen representatives of the Scotish peerage at the general election 1768; rechosen 1774 and 1780, and was invested with the order of the Thistle, 4th March 1771. His Lordship is the only person now (1812) alive, who was a peer of Scotland, of legitimate age, at the accession of his present Majesty King George III.

His Lordship married, first, at London, 19th May 1764, Susan, youngest daughter of Sir Edward Ward of Bixley, in the county of Norfolk, baronet, by Susan, daughter and heiress of William Randall of Yarmouth, Esq. Sir Edward died in March 1736; his eldest son, Sir Edward, died unmarried, 7th April 1742, æta. 21; his second son, Sir Randall, died without issue in 1762; (his relict died at Rackheath in Norfolk, 12th July 1765;) Thomas, the third son, and Elisabeth, the eldest daughter, died young; the Countess of Rosebery, the only surviving child, inherited the large property of the family, and died without issue at Bixley Hall, 20th August 1771.

His Lordship married, secondly, at London, 17th July 1775, Mary, only daughter of Sir Francis Vincent of Stoke D'Abernon, in Surry, baronet, Member of Parliament for that county, by Mary, his second lady, daughter of Lieutenant-General Thomas Howard, nephew of Francis, Lord Howard of Effingham, sister of Sir George Howard, K. B. Their issue are six children,

1. Lady *Charlotte*, born at Holland House, Kensington, 27th August 1776, married at St George's, Hanover Square, 27th May 1800, to Kenneth Alexander Howard, a major-general in the army, second major of the Coldstream regiment of foot-guards, presumptive heir of the antient barony of Howard of Effingham, nephew of Kenneth, Earl of Seaforth, and son of Henry Howard, Esq. of Tower-House, Arundel, Sussex, who died in September 1811, brother of Sir George Howard, K. B. They have issue: 1. Maria, who died 1810. 2. Charlotte. 3. Harriet, who died 1808. 4. Henry. 5. Charles. 6. Arabella, born 25th June 1809. 7. Frances, born 1810.

2. Lady *Mary*, born at Barnbougle Castle, 31st December 1777, married at London, 11th April 1808, to Henry John Shepherd of Lincoln's-Inn, barrister at law, and has one daughter.

3. Lady *Dorothea Arabella*, born at Holland House, Kensington, 31st January 1779; married at London, 1st September 1801, to William Hervey, of Bodvel, in the county of Caernarvon, Esq.

4. *Archibald John*, Viscount Primrose.

5. Hon. *Francis Ward* Primrose, born at Barnbougle Castle, 13th February 1785, entered a fellow commoner of Pembroke Hall, Cambridge, November 1801, admitted barrister at law by the society of Lincoln's-Inn, July 1808.

6. Lady *Hester Amelia*, born at Barnbougle Castle, 17th June 1786, died

Rosebery.

there, 10th April 1787, buried at Dalmeny.

VIII. Archibald John, Viscount Primrose, the eldest son, born at Barnbougle Castle, 14th October 1783, was admitted a nobleman of Pembroke Hall, Cambridge, November 1801, elected Member of Parliament for Helstone, on a vacancy, May 1805, and chosen for the city of Cashel, at the general election 1806. His Lordship was married at Mary-le-bone church, London, 20th May 1808, to Harriet (born 14th October 1790,) second daughter of the Hon. Bartholomew Bouverie, third son of William, first Earl of Radnor, by Mary Wyndham, daughter of the Hon. James Everard Arundell, and sister of James Everard, ninth Lord Arundell of Wardour, and has issue,

1. Hon. *Archibald* Primrose, born at Bixley Hall, 2d October 1809.

2. Hon. *Harriet* Primrose, born at Dudingston House, 13th October 1810.

Titles.—Neil Primrose, Earl of Rosebery, Viscount of Rosebery, Inverkeithing, and Primrose, Lord Dalmeny, Primrose, and Castlefield, and Baronet.

Creations.—Baronet of Nova Scotia, 1st August 1651. Viscount of Rosebery, Lord Primrose and Dalmeny, by patent, dated at Kensington, 1st April 1700, to the first Viscount, et hæredes masculos de ejus corpore, quibus deficien. hæredes femellas de ejus corpore, quibus etiam deficien. hæredes ejus talliæ in terris de Rosebery. Earl of Rosebery, Viscount of Innerkeithing, Lord Dalmeny and Primrose, by patent, dated at St James's, 10th April 1703, to the first Earl, et hæredes masculos sui corporis, quibus deficien. hæredes femellas sui corporis. Viscount of Primrose, Lord Primrose and Castlefield, by patent, dated at St James's 30th November 1703, to the first Viscount, ejusque hæredem masculum sui corporis, quibus deficien. hæredem masculum Domini Gulielmi Primrose sui patris.

Arms.—Four grand quarters: 1st, Quarterly: 1st and 4th, Or, a lion rampant, vert, armed and langued, gules; a coat of augmentation given by King Charles II. to Sir Archibald Primrose; 2d and 3d, Vert, three primroses, within a double tressure, flowered and counterflowered, Or, for the name of Primrose. 2d, Argent, a lion rampant, double-queved, sable, for Cressy. 3d, Gules, a lion rampant, vair, for Everingham. 4th, As the first.

Crest.—On a wreath a demi-lion, gules, holding in his dexter paw a primrose, Or.

Supporters.—Two lions, vert.

Motto.—*Fide et fiducia.*

Chief Seats.—Barnbougle Castle, in the county of Linlithgow, seven miles from Edinburgh; Bixley Hall, in the county of Norfolk, three miles from Norwich.

ROSS, EARL OF ROSS.

Ross.

I. Malcolm, Earl of Ross, was posessor of this antient territorial dignity in the reign of Malcolm IV., who directed a precept to Malcolm, Earl of Ross, to protect and defend the monks of Dunfermline in their lawful privileges and possessions, witnessed by Arnold, Bishop of St Andrews, who died in 1162.

Chartul. Dunf. 186. D.

II. Ferquhard, second Earl of Ross, granted a charter of several lands in Rossshire to Walter, son of the deceased Hugh

Chartul. Moraviæ, 314. D.

Ross.

de Moravia, to which Andrew, bishop of Moray, William the chancellor, who died 1231, and William, son and heir of the said Ferquhard, are witnesses. The Earl of Ross witnessed the treaty entered into by Alexander II. with Henry III. at York, in September 1237, and founded the abbey of Fern in Ross-shire, in the reign of Alexander II.

Fœdera, I. 377.

Keith's Catal. 245.

III. WILLIAM, third Earl of Ross, confirmed his father's donations to the abbey of Fern in 1258, and made a donation to the religious in Moray, witnessed by Robert, Bishop of Ross, who died 1270. He was one of the Scotish nobles who entered into an agreement with Llewellyn, Prince of Wales, that the Scots and Welsh should not make peace with England without the mutual consent and assent of both, 8th March 1258; and he sat in the parliament at Scone, 5th February 1283-4, when the succession to the throne of Scotland was settled on Margaret of Norway, in the event of the demise of King Alexander III. His son,

Chartul. Morav. 312, 317.

Fœdera, I. 603. II. 266.

IV. WILLIAM, fourth Earl of Ross, appeared in the convention of Brigham, 12th March 1289-90, when the marriage of Queen Margaret with Prince Edward of England was proposed; was one of the nominees on the part of Baliol in his competition for the crown of Scotland with Bruce, 1292; swore fealty to Edward I. at Berwick, 3d August 1292, and was present when John Baliol did homage to Edward I., 20th November 1292. The Earl of Ross was directed to attend Edward at London, 1st September 1294, to go over the seas with his Majesty, by letter dated 29th June 1294. He was in the Scotish army at the battle of Dunbar, 28th April 1296, and, after their defeat, took refuge in the castle of that place, which was surrendered a day or two afterwards. The Earl of Ross was carried prisoner to London. Edward I., on the 4th September 1296, issued an order to John de Warren, Earl of Surry, his governor of Scotland, to allot to the Countess of Ross, wife of the Earl of Ross, a hundred pounds of land for her support. Edward II. numbered the Earl of Ross among his adherents in Scotland, as, on the 20th of May 1308, he addressed a letter to William, Earl of Ross, and Hugh, son of the said Earl, thanking them for past services, and requesting their aid. The Earl of Ross soon joined the party of Robert I.; witnessed the treaty of that monarch with Haco, King of Norway, 28th October 1312; signed the letter to the Pope, asserting the independency of Scotland, 1320, and was one of the guarantees of a treaty betwixt Robert and Edward II., 1st June 1323. He had issue *,

Ibid. II. 471, 555, 572, 592, 643.

Dalr. Ann. I. 261.

Fœdera, II. 611, 728. III. 81.

Ross.

Robertson's Index, 101.

Fordun, II. 275.

Fœdera, III. 1025.

1. *Hugh*, fifth Earl of Ross.

2. *John* Ross, who married Margaret Cumyn, second daughter of Alexander, fourth Earl of Buchan, and got with her in tocher the half of the Earl of Buchan's whole lands in Scotland.

Robertson's Index, 2.

Daughter, *Isabella*, married to Edward Bruce, Earl of Carrick, for which a papal dispensation was obtained, 1st June 1317.

A. Stuart, 427.

V. HUGH, sixth Earl of Ross, the eldest son, had charters from King Robert I. to Hugo de Ross, and Mauld, sister to the King, of the lands of Narne, with the town, and of the town of Crumbachie, with an annual. He had also charters of the thanage of Glendouachy in Banffshire; of the lands of Sky, of Trouternes, in Sky; of Tarnedelle and Innerafren, of Straglas and Strathconan; of Kinfauns, in Perthshire, with the fishing; and to him and his wife, of the barony of Inverlunan. He succeeded to the title before 3d July 1328, when Hugh, Earl of Ross had a controversy with Andrew de Moray concerning the lands of Dromcudyn and Munlochy, &c. The same year he was one of the guarantees of the marriage articles of Prince David of Scotland, and the Princess Johanna of England. Hugh, Earl of Ross, renounced to the King the advocation of the church of Philorth in Buchan, 29th March 1330. At the fatal battle of Halidonhill, 19th July 1333, Hugh, Earl of Ross, command-

Robertson's Index, 1, 2, 26, 28, 29, 103.

* In Robertson's Index, 15, is a note of a missing charter of Robert I. to *Walter*, Earl of Ross, of the lands of Dingwall, with the castle, burgh, and liberties thereof, the lands of Moyn in Strathern, and Ferneroske in Sutherland, in the 16th year of his reign, 1321-2. Walter is evidently a mistake for William.

Ross.

ed the fourth body of the Scots, attacked the flank of the English army, and fell in that sanguinary engagement.

Wyntoun, II. 64.

He was twice married; first, to Jean, daughter of Walter, high steward of Scotland; secondly, to Matilda, sister of King Robert I., and had issue by the last,

1. *William*, seventh Earl of Ross.

2. *Hugh* Ross of Rarichies, of whom there are several notices in Robertson's Index, and in the public records. A safe conduct was granted, 3d September 1351, to Hugh Ross, brother and heir (presumptive) of the Earl of Ross, as one of the hostages for David II. when he was allowed to visit his dominions that year. Hugh de Ross, Lord of Philorth, son of the deceased Hugh, Earl of Ross, granted a charter to Adam Urquhart, sheriff of Cromarty, of the lands of Fohesterdy in Buchan, 1st July 1365; he also granted a charter to Alexander de Sancto Claro, of the lands of Estirtyre in Aberdeenshire. King David II. granted a charter of ten pounds and four chalders of wheat, due to his Majesty out of the lands of Doun in Banffshire, to Hugo de Roos and Margaret de Barclay his wife, 26th February 1369. Another charter of the same was granted to Hugh de Roos de Kynfaunys and Margaret his wife, by King Robert II., 1st June 1378, by which time it appears he was dead, as the same monarch, on the 10th of August 1374, granted a charter, ratifying that grant which the late William, Earl of Ross, our brother, made to the late Hugh de Ross his brother, of the lands of Balnagoune, Achanyll, and Corty, and an annualrent of four pounds from Tarbard, in the earldom of Ross, to be held by William de Ross, son and heir of the said late Hugh and his heirs. From him descended Munro Ross of Pitcalnie, who, in February 1778, presented to the King a petition, shewing, that the title and dignity of Earl of Ross is very antient, and was limited to, and held in the male line till the death of William, Earl of Ross, 1370. That the said William, Earl of Ross, dying without male issue, left two daughters, Lady Euphame, who married Sir Walter Leslie; and Lady Johanna, *married to* Sir Alexander Leslie [Fraser.] *That the said Earl William left* a brother, Hugh Ross of Rarichies, who, as heir male, was entitled to take the title and dignity of Ross, Earl of Ross; but being opposed and oppressed by the power and influence of the husbands of his nieces, and also by the Duke of Albany, the then regent of Scotland, he was obliged to submit to their usurpation of the title and dignity. That your petitioner is the male descendant of the aforesaid Hugh Ross of Rarichies, brother to the last Earl of Ross, and as such, is entitled to the aforesaid honour and dignity. He, therefore, most humbly prays your Majesty, that the aforesaid title and dignity of Ross, Earl of Ross, may be declared of right to belong to him and his heirs male. This petition was, by the King's command, presented to the House of Lords, 9th February 1778; but no determination appears to have been come to thereon.

Fœdera, V. 724. Dalr. Ann. II. 245.

Robertson's Index, 86, 91, 120, 122.

Ross.

1. Lady *Euphamia*, married, first, to John Randolph, Earl of Moray, killed at the battle of Durham, 1346; secondly, to Robert, Earl of Strathern, afterwards King Robert II., for which a papal dispensation was obtained, 2d May 1355. A. Stuart, 422.

2. Lady *Janet*, married, first, to Monimusk of Monimusk; secondly, to Sir Alexander Moray of Abercairney. Doug. Bar.

VI. WILLIAM, seventh Earl of Ross, succeeded his father 1333, and made his first appearance in arms in 1339, when he joined the steward of Scotland at the siege of Perth. The Earl of Ross, by the artifice of a mine, diverted the water from the fosse, and preparations were immediately made for storming the town, when the English governor capitulated, 17th August 1339. William, Earl of Ross, son and heir of the deceased Hugh, Earl of Ross, granted a charter to Reginald, son of Roderick de Insulis, of ten davachs of land in Kennetale (Kintail) in Ergadia boreali, dated 4th July 1342. He was justiciary of Scotland *beyond* Forth in 1344 [qu.?] David II. having resolved to invade England, appointed an army to assemble at Perth in 1346. William, Earl of Ross, and Reynald of the Isles, appeared at the rendezvous. The Earl of Ross having a difference with Reynald, assassinated him at the monastery of Elcho, abandoned the King's host, and led his

Dalr. Ann. II. 224.

Robertson's Index, 100.

Dalr. Ann. II. 234.

Robertson's Proceedings, 400.

Ross. followers back to their mountains. William, Earl of Ross, sat in the parliament, 26th September 1357, when the treaty for the ransom of David II. was ratified, and his seal is thereto appended. A safe conduct was granted to the Earl of Ros to come into England, 6th June 1358. William, Earl of Ross, Lord of Sky, granted a charter of the lands of Gerloch, infra partes Ergadiæ, to Paul Mactyre, dated at Delgheni, 5th April 1366, witnessed by Hugh de Ross his brother. William, Earl of Ross, resigned to King David II. all right and claim he had to the forest of Plater, in the lands of Futhynevent, with the advocation of the church of the same, but that resignation having been made not with his will, he had a charter to that effect from the King, 6th May 1369. William, Earl of Ross, upon his own resignation in full parliament at Perth, 23d October 1370, obtained a charter of the same date, of the earldom of Ross and lordship of Sky, and all other lordships and lands which belonged to him, except those in the counties of Aberdeen, Dumfries, and Wigton, to him and the heirs male of his body lawfully to be procreated; which failing, to Walter de Lesley, knight, and Eufamia his wife, and the longest liver of them, and to the heirs lawfully procreated or to be procreated of Eufamia, so that if there be no male issue of Eufamia's body, and she have more than one daughter, then the eldest daughter of Eufamia, or of her heirs, on failure of her heirs male, should have right to the whole earldom, &c. without division; and failing Sir Walter and Eufamia, and the heirs of her body, the earldom, &c. is provided to Johanna the younger daughter of Earl William, and to her heirs, and when these heirs are females, the eldest heir female to succeed without division. William, Earl of Ross, resigned the sheriffdom and sheriffship of Crombathie (Cromarty), to Adam Urquhart, the lands of Balgrothy in Fife to William Sinclair, and granted all the davachs of the lands of Bray, infra maresium de Fornewyr, in Inverness-shire, to Alexander de Sancto Claro, son of Thomas de Sancto Claro. This last was ratified by David II. under the great seal, 1st November 1369. William, Earl of Ross, married, first, it would appear,

Fœdera, VI. 42, 87.

Reg. Mag. Sig. 62, 65, 74.

Robertson's Index, 45, 62.

Reg. Mag. Sig. 76.

a daughter of Malise, Earl of Strathern, Caithness, and Orkney, and by her had issue,

Ross.

William. Among the hostages proposed for the release of King David II., 13th July 1354, was the son and heir of the Earl of Ross, when he was of an age to travel, or the brother of the said Earl. In August 1357, in naming the hostages for the King, it was stated that William, filz et heir le Counte de Rosse est malades, et le Roi David, &c. sont compris qu'il serra livere s'il soit en vie devant Nowel, et s'il soit mort, que le prochain heir au dit Counte vendra en son lieu. He died before his father, without issue.

Fœdera, V. 792. VI. 35, 47.

1. *Euphamia*, Countess of Ross.

2. Lady *Johanna*, married to Sir Alexander Fraser of Philorth.

According to the first edition, William, Earl of Ross, married, secondly, a daughter of Sir David Graham of Montrose, by whom he had a daughter, Lady [Margaret] married to Sir Walter Hamilton of Innerwick. If this is correct, she must have been born subsequent to the charter of the earldom of Ross, 1370, already recited.

Suth. Add. Case, v. 26.

VII. EUPHAMIA, Countess of Ross, succeeded her father, in terms of the charter 1370. She married Sir Walter Lesley, second son of Sir Andrew Lesley of Lesley, for which marriage a papal dispensation was obtained in December 1367, permitting them to marry, notwithstanding of Sir Walter having committed fornication with a woman in the fourth degree of consanguinity to Euphamia. But it would appear that their marriage took place previous to the obtaining of the dispensation, as King David II. granted a charter to Walter de Lesley, knight, and Eufamia de Ross, his wife, our cousin, of the new forest in Dumfries-shire, dated at Perth, 13th September, in the 37th year of his reign, that is, 1365. Walter de Lesley, knight, had a safe conduct into England for himself and sixty persons in his retinue going to foreign parts, 24th October 1358, and obtained a charter of L. 40 annually out of the great customs of Dundee, 14th October 1362. Walter de Lesley, knight, had a safe conduct into England, 25th November 1363 and 20th March 1366; was one of the Scotish commissioners at

A. Stuart, 438.

Reg. Mag. Sig. 53.

Fœdera, VI. 108.

Reg. Mag. Sig. 32.

Fœdera, VI. 425, 498, 570, 576, 584, 633.

Ross.

the convention of Muirhouselaw, 1st September 1367; had a safe conduct to come into England, 28th October 1367, another on the affairs of David II., 23d January 1368, and was guarantee of a treaty of peace with the English, 20th July 1369. Walter de Lesley, knight, was infeft in the thanage of Abirkirdore, in Banffshire, and the thanage of Kincardine, 6th May 1368; and had two charters to him and Eufamia his wife, dated penult. Februarii anno regni 40 (1368-9) of the fee and reversion of the thanage of Kyncardyn, Abirlouthnot, and Fethirkern, then in the hands of William, Earl of Sutherland, and of the King's lands of the thanage of Abirkyrdor and lands of Blaresenach in Banffshire. Walter de Lesley, Lord of Filorth, granted a charter to John de Urchard, son of Adam de Urchard, sheriff of Cromarty, of the lands of Fohesterdy in Buchan, 8th November 1369. Safe conducts into England were granted to Walter de Lessele, knight, 3d February 1373, and 26th August 1374; to Walter de Lesley, knight, dominus de Ross, 12th February 1375; and to Walter de Lesley, Earl of Ross, 14th August 1379, which indicates that he had assumed that title in right of his wife. He died not long afterwards, leaving by Euphamia, Countess of Ross, a son,

Reg. Mag. Sig. 71.

Ibid. 63.

Fœdera, VII. 1, 45, 53, 215.

Suth. Add. Case, v. 27.

Alexander, ninth Earl of Ross;—and a daughter,

Lady *Margaret*, married to Donald, Lord of the Isles.

Euphamia, Countess of Ross, took to her second husband Alexander Stewart, Earl of Buchan, fourth son of King Robert II. He had a charter of the barony of Kynnedward, on the resignation of Eufamia, Domina de Ross, 22d July 1382, being therein designed Alexander Stewart, Lord of Badenach; and on the 25th of the same month, King Robert II. ratified and confirmed, donationem illam et concessionem quas dilecta consanguinea Eufamia, Domina de Ross, fecit et concessit Alexandro Senescallo Comiti de Buchan, filio nostro dilecto, de comitatu Rossiæ cum pertinen. to be held by him for his life. On the 24th and 25th of July 1382, King Robert II. granted two charters, proceeding on the resignation of Eufamia, Domina de Ross, to Alexander, Earl of Buchan, and Eufamia, Domina de Ross, of the thanage of Dyngvalt, with the castle, and all those lands in Caithness, Sutherland, Nairn, Inverness, Atholl, and Galloway, the barony of Fythkill in Fife, the lands of Forgrundtheny and Kynfawnys in Perthshire, and the thanage of Glendovachy and lands of Deskford in Banffshire, which had belonged to her hereditarily, to them and the longest liver of them, and the heirs legitimately to be procreated betwixt them; which failing, to the legitimate heirs whatever of Eufamia *. Differences arising betwixt the Countess of Ross and her husband, they were terminated by a judgment of their ordinaries, the Bishops of Moray and Ross, pronounced in 1389. In this judgment she is called Euphamia, Comitissa de Ross, and he Alexander Senescalli, Comes de Buchan et Dominus de Ross, and he was thereby ordained to live with her, whom he had deserted for Mariota, filia Athyn, and not to maltreat her, under the penalty of L. 200. Alexander, Earl of Buchan, died in 1394, and the Countess of Ross about the same period. Her son,

Reg. Mag. Sig. 164, 165.

Ross.

Suth. Add. Case, v. 28. Lord Hailes's MS. Note.

VIII. ALEXANDER, ninth Earl of Ross, succeeded his mother. He resigned the lands of Fithkill to his cousin, George Lesley of Rothes, who had a charter of the same from King Robert III. He also granted to Lesley the lands of Wodefield, Pitnamoon, and others, in the county of Kincardine, on account of his advancing 200 marks to relieve the earldom of Ross out of the King's hands, and for his good counsel and services, confirmed by Robert III. in 1400. Alexander, Earl of Ross, married Lady Isabel Stewart, eldest daughter of Robert, Duke of Albany, Regent of Scotland; and by her, who took to her second husband, Walter, Lord Halyburton of Dirletoun, had an only child,

Robertson's Index, 146.

Penes Com. de Rothes, D.

IX. EUPHAMIA, Countess of Ross, who assumed the veil. Her next heir

Suth. Add. Case, v. 29.

* King Robert II. granted dilecto nepoti nostro Waltero Senescallo, militi, the superiority of the wester part of the lands of Kynfawnys in Perthshire, on the resignation of Eufamia, Domines de Ross, daughter of *William*, Earl of Ross, in her viduity, by charter dated 26th April 1382. Reg. Mag. Sig. 166.

Ross.

was her aunt, Lady Margaret, wife of Donald of the Isles, who asserted her right to the earldom, and in some measure took possession; for the continuator of Fordun observes, that he held the castle of Dingwall in right of his wife. He raised an army of 10,000 men of the Hebrides and of Ross, and advanced as far as Marr, in a desolating inroad, intending to sack Aberdeen, and to ravage the country down to the Tay. To stop his destructive career, Alexander, Earl of Marr, hastily collected a body of troops, and met the invader at Harlaw, ten miles from Aberdeen, 24th July 1411. Marr's army was inferior in number, and the battle was obstinate and fierce, but indecisive. On the side of Donald, the chiefs of Maclean and Macintosh fell, with about 900; and Marr lost 500 men, among whom were some of rank. The Lord of the Isles was so much weakened, that he was forced to retire, and the Regent Duke of Albany marched to the castle of Dingwall, which he took. Next year, 1412, Albany set three armies on foot to invade the territories of Donald, who was obliged to abandon his pretensions to the earldom of Ross, to make a personal submission, and to give hostages for indemnification and future observance of peace. Euphamia, Countess of Ross, on the 12th of June 1415, made a resignation of the earldom of Ross at Stirling to Robert, Duke of Albany, her grandfather, who granted a charter, on the 15th of that month, to his dearest grand-daughter Eufamia de Lesley, daughter and heiress of the deceased Alexander de Lesley, Earl of Ross, of the whole earldom of Ross, to the said Eufamia, and the heirs of her body; which failing, to John Stewart, Earl of Buchan, son of the Regent, and the heirs male of his body; which failing, to Robert Stewart, brother of John, and the heirs male of his body; which failing, to the King and his heirs. John, Earl of Buchan, was now stiled Earl of Buchan and Ross, but soon dropped the latter title, although he held the earldom till his death, at the battle of Verneuil in Normandy, 17th August 1424. His brother, Sir Robert Stewart, was also killed with him, and as they left no male issue, the earldom of Ross, in virtue of the limitations in the charter 1415, devolved on the crown. This was an object of no small moment to King James I., in his great plan of annihilating the Scotish aristocracy.

Pinkerton, I. 91.

Suth. Add. Case, v. 29.

Ross.

VIII. MARGARET, Countess of Ross, sister of Alexander the ninth Earl, however, assumed that title. She married Donald, Lord of the Isles, who died before 1427, and by him had a son,

Alexander, tenth Earl of Ross;—and a daughter,

Mariot. Her brother Alexander gave the lands of Duchall to her and her husband Alexander Sutherland, 1429, as appears from the grant, in possession of Sinclair of Roslin.

Lord Hailes's MS. Notes.

IX. ALEXANDER, tenth Earl of Ross, has been already treated of under the title of Lord of the Isles, where it is mentioned that, on the 1st of July 1476, his son,

Vol. II. p. 9.

X. JOHN, eleventh Earl of Ross, surrendered to the King the earldom of Ross, which was unalienably annexed to the crown by act of parliament, with power, nevertheless, to the King and his successors to bestow the same on a second son of the royal family.

STEWART, DUKE OF ROSS.

Ross.

JAMES STEWART, second son of King James III., was born in 1476, and at his baptism created Marquis of Ormond, an empty title, unusual in Scotland, without territory, and without jurisdiction. The King, by royal charter, dated 23d January 1480-1, granted to him and the heirs male of his body, the whole lands of the earldom of Ross, and castle of Dingwall; and by another charter the whole lands of the lordships of Brechin and Navar, with their pertinents, the whole lands of the lordship of Ardmanach, called Avauch and Eddirdale, with the mount of Ormond, and castle and fortalice of Redcastle, with their pertinents. Henceforth James Stewart was styled Earl of Ross, Lord of Brechin, Navar, and Ardmanach. But as most of these lands had been unalienably annexed to the crown, the grant was liable to challenge, to obviate which a parliamentary ratification was obtained, 12th April 1481. On the 29th of January 1487-8, King James III., in parliament, created James, his second son, Duke of Ross, Marquis of Ormond, Earl of Edirdale, otherwise called Ardmanach, Lord of Brechin and Navar, and granted to him the lands of the said lordships. After the death of his father, 1488, he was by act of parliament the same year placed under the charge of Patrick, Lord Hales, to be kept in honour and worship according to his estate. Preferring an ecclesiastical life, he was nominated Archbishop of St Andrews, 1498, and visited Rome that year to have his investiture completed. He was appointed high chancellor of the kingdom 1502, and had the rich abbey of Dunfermline bestowed on him in commendam. Possessed of so ample an equivalent, he resigned his estates into the hands of his brother King James IV. But as, according to the ideas of that age, the resignation of the estates would have carried with it the titles of honour, the Duke of Ross, for avoiding this consequence, reserved either the principal messuage, or the moothill of each estate, as appears from the following clause in the instrument of resignation, dated 15th May 1503, Reservato tamen dicto illustrissimo principi et reverendissimo patri, ad vitam, montem de Dingwall pro nomine dignitatis ducatus (Ross), ac montem de Ormond, pro stilo et nomine marchionatus ejusdem, nec non Redcastle de Armanoch, pro stilo dignitatis ejusdem comitatus, et montem castri de Brechin, cum hortis ejusdem, pro nomine dignitatis dominii de Brechin et Navar. His Grace died in 1504, aged twenty-eight, and was buried in the chancel of the cathedral of St Andrews. He is immortalized by the pen of Ariosto,

Suth. Add. Case, iv. 56. Crawf. Off. St. 58.

Rec. Parl. 325, 339.

Keith's Bishops, 20.

Ross.

Suth. Add. Case, iv. 58.

> Non e un si bello in tanto altre persona,
> Natura il fece, e poi ruppe la stampa.
> Non e in cui tal vittue, tal gracia lucca,
> O tal possanza, ed e di Roscia Duca.

Orlando Furioso, lib. 11.

Thus translated by Hoole,

> No form so graceful can your eyes behold, —
> For nature made him, and destroy'd her mold.
> The title of the Duke of Ross he bears,
> No chief like him in dauntless mind compares.

Alexander, the posthumous son of King James IV, born 30th April 1514, had the stile of Duke of Ross, and died 18th December 1515. The earldom of Ross was bestowed by Queen Mary on Henry, Lord Darnley, by charter dated 15th May 1565, containing a new erection of the earldom, without any mention of the title. He was thenceforth stiled Earl of Ross, and under that designation obtained a charter of lands, 25th May 1565, and of the dukedom of Albany, 20th July 1565. Charles, second son of James VI., was created Duke of Albany and Earl of Ross, at his baptism, 23d December 1600. Anne, Queen of James VI., had a charter of the earldom of Ross, and lordships of Ardmannach and Ettrick Forest, 10th March 1605; and after her decease, her son, Charles, Prince of Wales, had a charter of the same 20th June 1619.

Suth. Add. Case, iv. 45.

Mag. Sig. L. xliv. No. 270. L. xlix. No. 160.

ROSS, LORD ROSS.

Ross.

THE antient family of Ross in England, took their designation from the lordship of Ros in Yorkshire. The first settlers in the south of Scotland of this name appear as vassals of Richard de Moreville.

I. GODFREY DE ROS obtained from Moreville the lands of Stewartoun, in Ayrshire, and witnessed many of his charters, along with James, Reginald, and Peter de Ros his sons.

Dalr. Coll. p. 272.

II. Sir JAMES DE ROS, the eldest son, made a donation to the monastery of Paisley of some lands in Stewartoun, for the welfare of his soul. He was probably father of

Chartul. of Paisley. D.

III. ROBERT DE ROS, who witnessed the agreement betwixt King William I. and King John, 7th August 1209, a charter of Alexander II., 1214, and accompanied his Majesty to England in 1217. He witnessed charters in 1238, 1250, and 1253, and died soon afterwards.

Fœdera, I. 155, 224. Chartul. of Lennox, 15, 163. D. Book of Charters, penes Macf. 110. Chartul. of Dunferm. 220. D.

IV. Sir GODFREY DE ROS, probably his son, was father of

V. Sir GODFREY DE ROS, who, in 1281, confirmed to the monastery of Paisley some land in the town of Stewartoun thus, Dominus Godfridus de Ros, miles, filius et hæres Domini Godfridi de Ros, confirmasse, &c. illam terram in villa de Stewartoun, quam ex collatione Domini Jacobi de Ros, tenend. et possidend. Among those who swore fealty to King Edward I. in 1296, were Jacobus filius Godfredi de Ross, senior, et Jacobus filius Godofredi de Ross, *junior*, 28th July, and Andreas filius Godofredi de Ross, 29th July. Robert de Ross and William de Ross likewise swore fealty, 5th August 1296, and Wautier le Ros the same year. Godefridus de Ros was one of those ordered to be released from prison by Edward I., 30th July 1297, on condition of serving him beyond seas. Godfrey de Ross was sheriff of Lanark, 1310. Among the charters of King Robert I. is one to Robert Boyd of the lands of Kilmarnock, Bondingtoun, Hertschaw, &c. quæ fuerunt Joannis de Balliolo, Godofridi de Ros, filii quondam Reginaldi de Ros, Willielmi de Mora, et Roberti de Ros.

Chartul. of Paisley, 239. D.

Prynne, III. 651. Nisb. Her. App. 27, 30, 31, 49.

Fœdera, II. 776.

Ross. Robertson's Index, 6.

VI. ANDREW DE Ros, said to be son of Sir Godfrey, was the next in succession, and was father of

VII. Sir GODFREY DE Ros, who held the office of sheriff of Ayr in 1334, when he submitted to the steward of Scotland, acting for David II. Godefridus de Ros, miles, had a safe conduct from King Edward III. to conduct Richard Talbot into England, 2d April 1335, and another, 16th October 1338. He was in England, 16th May 1365, when a safe conduct was granted to William de Roos coming to him in that kingdom. Godefridus de Roos had a safe conduct into England, 11th June 1369. Among the notices in Robertson's Index, under David II., is the forfeiture of Godfrid Ros, in the barony of Stanehouse in Lanarkshire, and a charter to Godfray Ros of Cunninghamhead, of the mill of Craigie in Perthshire.

Dalr. Ann. II. 193.

Fœdera, IV. 639. VI. 108, 463, 624.

Robertson's Index, 56, 60.

VIII. JOHN DE ROSS of Halkhead, presumed to be son of Godfrey, had, under the designation of Johannes de Ros, a safe conduct to come into England, cum duobus equitibus, 25th October 1357. Johannes Ros had a safe conduct into England, 20th March 1359; again, 26th October 1362, to pay his devotions at the shrine of St Thomas of Canterbury, also 26th April 1363, for the same purpose. *His son,*

Fœdera, VI. 67, 123, 395, 408.

IX. Sir JOHN ROSS of Halkhead, who, under the designation of Dominus Johannes de Ross, miles, Dominus de Halhead, witnessed donations to the monastery of Paisley in 1392 and 1397. He married Agnes, daughter and heiress of Sir John Melville of Melville, with whom he got

Chartul. of Paisley, 228, 238. D.

Ross.

this fair barony on the banks of the Northesk, in the county of Edinburgh, and by her had a son,

X. Sir JOHN Ross of Halkhead, who had a charter of the barony of Melville, as heir of his mother, in 1401, and quartered the arms of Melville with his own. He was appointed heritable constable of the castle of Renfrew, with a grant of the customs at the principal fairs of that borough. His son,

In Pub. Arch. D.

Crawf. Renf. 44.

XI. Sir JOHN Ross of Halkhead was, along with James Douglas, brother of the Earl of Douglas, and James Douglas, brother of Lochleven, the combatants against three Burgundian knights, 1449, in presence of James II. and his court. He had a charter, Johanni le Rosse, de Haukhede, militi, of the lands of Tarbart in Ayrshire, and Auchinbak in Renfrewshire, on the resignation of Robert Ross of Tarbart, 17th January 1450-1. He had a safe conduct, to John Ross, knight, to pass through England along with William, Earl of Douglas, 12th May 1451, another to John de Rose, Dominus de Halksted, 27th May 1459, had charters of Lochtillou, in the barony of Bathgate, Starlaw, and Denys, 16th July 1468, and a commission under the great seal of the office of sheriff of Linlithgow, for life, 9th March 1472-3. John Ross de Halkhede, miles, was one of the ambassadors to England, to whom a safe conduct was granted, 24th August 1473, and dying soon afterwards, was succeeded by his son,

Pinkerton, I. 207.

Mag. Sig. L. iv. No. 135.

Fœdera, XI. 285, 420.

Mag. Sig. L. vii. No. 40, 41, 224.

Fœdera, V. 775.

XII. Sir JOHN Ross of Halkhead, who was one of the conservators of a treaty with the English, 20th September 1484, under the designation of John Rosse de Halkhede, miles. Dominus de Halkhed, Ross, occurs among the barons in the parliament, 3d February 1489-90, and Ross de Halkhed is inserted among the domini barones in the parliament 11th March 1503-4. He had a charter to John Ross of Halkhead, of part of Auchinbothy Wallace, 17th February 1490-1, and obtained a charter under the great seal, dated 11th March 1501-2, confirming a donation of the King, quondam Joanni, Domino Ross de Halkhede, militi, avo Joannis, Domini Ross, de Halkhede, militis, moderni, of the island of King's Inch in Clyde. He had charters to John, Lord Ross of Halkhead, of the lands of Dikbar, Castlebar, and Matthewbar, 30th July 1502, and of Railston in the county of Renfrew, 11th February 1505-6, and appears to have *died soon* afterwards. He had a son,

Ibid. XII. 241.

Rec. Parl. 361, 489.

Mag. Sig. L. xii. No. 269. L. xiii. No. 490.

Ross.

Mag. Sig. L. xiii. No. 573. L. xiv. No. 178.

John, second Lord Ross;—and a daughter,

Egidia, married to James, son of Sir John Auchinleck of Auchinleck, in Ayrshire, who granted a charter, 3d March 1480-1, of some lands to Giles, daughter of Sir John ye Ross of Halkhede, to take effect when they were married.

XIII. JOHN, second Lord Ross of Halkhead, had charters to John Ross of Melville, and Christian Edmonstone his wife, of the lands of Tortrevane, in the county of Edinburgh, 27th September 1490; and of the lands of Walterstoun in Stirlingshire, Joanni Ross de Malevyn, militi, filio et hæredi apparenti Joannis, Domini Ross, from his father, 31st March 1499. Succeeding his father, he had a charter to John, Lord Ross of Halkhead, of the lands and baronies of Melville, Stanehouse, and Mosshouse, in the county of Edinburgh; Tortrevane, Prestoun, Walterstoun, and Morowingside, in the shires of Linlithgow and Stirling, 21st February 1508-9, and he fell at the battle of Flodden, 9th September 1513*. By Christian his wife, daughter of Archibald Edmonston of Duntreath, he had a son,

L. xii. No. 224. L. xiii. No. 498.

L. xv. No. 75.

XIV. NINIAN, third Lord Ross of Halkhead, who was one of the Scotish nobles who, in 1515, dispatched ambassadors to France, to endeavour to get Scotland included in the pacification with England. He ratified a treaty with the English, *30th June 1534*; and married, *first*, Lady Janet Stewart, third daughter of John, Earl of Lennox, by whom he had a daughter,

Fœdera, XIII. 509. XIV. 540, 541.

* In the first edition it is stated to be John, first Lord Ross, who was killed at Flodden; that it was John his son is more probable, as the son had a charter to him and his wife, 1490, which would make the first lord very aged if he survived till 1513, and fell in battle.

Margaret, married to Sir Andrew Murray of Arngosk and Balvaird, without issue, and a son,

Robert, Master of Ross, killed at the battle of Pinkie, 1547, in the lifetime of his father, leaving a daughter, Elisabeth, married to John, Lord Fleming.

Lord Ross married, secondly, Elisabeth, daughter of William, first Lord Ruthven, relict of William, fifth Earl of Errol; she had a charter of the barony of Melville, to Elisabeth Ruthven, Countess of Errol, and the heirs male procreated betwixt her and Ninian, Lord Ross, 9th December 1529. They had a son,

Mag. Sig. L. xxiii. No. 229.

XV. James, fourth Lord Ross, who, on his father's resignation, had charters of the lands and baronies of Melville, Halkhead, and Auchinbak, to James Ross, legitimate son of Ninian, Lord Ross of Halkhead, and his heirs male whatsoever, dated 3d September 1547, and 13th September 1548. He entered into the association in support of Queen Mary at Hamilton, 8th May 1568, and died in April 1581. He married Jean, daughter of Robert, third Lord Sempill, and by her had issue,

L. xxx. No. 168, 169.

1. *Robert*, fifth Lord Ross.

2. Sir *William* Ross of Muiriston.

1. *Elisabeth*, married to Alan, son and heir apparent of Mungo Lockhart of Cleghorn, as appears from a charter 1582.

2. *Jean*, married to Sir James Sandilands of Calder.

XVI. Robert, fifth Lord Ross, the eldest son, succeeded his father; his ward was granted, 5th April 1581, to Dorothea Ruthven, daughter of Lord Ruthven; and he died in October 1595. He married Jean, daughter of Gavin Hamilton of Raploch; she took to her second husband Robert, second Lord Melville of Raith; had charters to Jean Hamilton, Lady Ross, of the ecclesiastical lands of Melville, 15th March 1615-6, and to her and James, Lord Ross, her son, of the lands of Bagone and Craig, in the county of Haddington, 27th March 1621. She died in May 1631, having had by Lord Ross a daughter, *Grizel*, married to Sir Archibald Stirling of Keir, and a son,

Privy Seal, xlvii. 102.

Mag. Sig. L. xlvii. No. 329. L. l. No. 1.

XVII. James, sixth Lord Ross, who was served heir of James, Lord Ross his grandfather, in the lands of Brumlandis and Roisholme, in Ayrshire, &c. 13th February 1600, and 13th September 1615, and of his father in the lordship and barony of Melville, 13th September 1615; had charters of the tenandry of Prestoun, in the shire of Linlithgow, 17th February 1620; of Logannaiss, 28th April 1624; of Easter Stanelie and Thornlee, 16th July 1631; of Halkhead and Melville, Corsbie, and Inglistoun, 3d November 1632; and died in December 1633. He married Margaret, eldest daughter of Walter, first Lord Scott of Buccleuch; and by her, who married, secondly, Alexander, sixth Earl of Eglintoun, and died in October 1651, had issue,

Ross.

Inq. Ret. ii. 181. vi. 131. Mag. Sig. L. xlix. No. 267. L. l. No. 54. L. liii. No. 125. L. liv. No. 58.

1. *James*, seventh Lord Ross.

2. *William*, eighth Lord Ross.

3. *Robert*, ninth Lord Ross.

1. Hon. *Margaret* Ross, born 19th December 1615, married to Sir George Stirling of Keir, and died 10th March 1633, æta. 18, leaving one daughter, Margaret, who died 11th May 1633.

Edin. Reg.

2. Hon. *Mary* Ross, married to John Hepburn of Waughton.

3. Hon. *Jean* Ross, married to Sir Robert Innes of Innes, baronet, and had issue: Magistra Maria Ross, Domina Wauchtoun, sponsa Joannis Hepburn de Wauchtoun, and Domina Jeanna Ross Domina Innes, sponsa Roberti Innes, junioris, de eodem, were served heirs portioners of line of Robert, Lord Ross, William, Lord Ross, and James, Lord Ross, their brothers-german, and of Jean Hamilton, Lady Ross, their grandmother, 6th February 1649. Jean Ross, Lady Innes, and Margaret Hepburn, only daughter procreate betwixt John Hepburn of Wauchton and Mary Ross his wife, were, 19th October 1663, served heirs portioners of Margaret Scot, Countess of Eglintoun, the mother of the former, and grandmother of the latter, in the barony of Pennycook and other lands.

Inq. Ret. xix. 316. xxi. 15.

XVIII. James, seventh Lord Ross, the eldest son, was served heir of his father in the lordship and barony of Melville, &c. 18th September 1634, had charters of Halkhead, Melville, Craig, and Balgone,

Inq. Ret. xiii. 174.

Mag. Sig. L. iv. No. 182.

Ross.

25th January 1636, also of Easter Stanley in Renfrewshire, and died unmarried, 17th March 1636.

Inq. Ret. xv. 210.

XVIII. William, eighth Lord Ross, was served heir of his brother, 8th September 1636, and died unmarried in August 1640.

Ibid. xvii. 28.

XVIII. Robert, ninth Lord Ross, was served heir of his brother William, 3d June 1641, and 13th September 1642, and died unmarried in August 1648, when his estates and title devolved on the heir male, Sir William Ross of Muiriston, tenth Lord Ross, son of Sir William Ross of Muiriston, second son of James, fourth Lord Ross.

Ibid. xix. 335.

XVII. William, tenth Lord Ross, had a charter, Domino Willielmo Ross de Muiriston, militi, of the lands of Torehead, &c. 1636; had the office of sheriff-principal of the county of Renfrew, 1646; succeeded Robert, ninth Lord Ross, in 1648, and was served heir male of him in the lands, lordship, and barony of Melville, Halkheid, &c. 20th March 1649. He was colonel of foot in the counties of Ayr and Renfrew, 1648; one of the committee of estates, 1649; was fined by Cromwell's act of grace and pardon, 1654, in the sum of L. 3000 sterling, and died in 1656. By Helen his wife, eldest daughter of George, first Lord Forrester of Corstorphine, he had a son,

XVIII. George, eleventh Lord Ross, who, on the restoration of Charles II., was sworn a privy-councillor, and appointed lieutenant-colonel of the royal regiment of guards, and died in 1682. He married, first, Lady Grizel Cochrane, only daughter of William, first Earl of Dundonald, by whom he had a son,

William, twelfth Lord Ross;—and a daughter,

Hon. *Grizel* Ross, married to Sir Alexander Gilmour of Craigmiller, in the county of Edinburgh, baronet, who was born

Edin. Reg.

6th December 1657, and died in October 1751, æta. 74; she died at Inch, 10th June 1732. They had three sons, John, who died about 1717; William, who died in 1730; and Sir Charles Gilmour, baronet, Member of Parliament for the county of Edinburgh from 1737 till his death at Montpelier, 9th August 1750. He married in March 1733, Jean, daughter of Sir Robert Sinclair of Longformacus, baronet, and by her, who died at London, 1st February 1782, had one son, Sir Alexander Gilmour of Craigmiller, baronet, an officer in the foot-guards; Member of Parliament for the county of Edinburgh from 1761 to 1774; appointed, in 1765, one of the clerks comptrollers of the board of green cloth; who died unmarried in France, 27th December 1792. Sir Alexander Gilmour and Grizel Ross's eldest daughter, Helen, married William Little of Liberton*, in the county of Edinburgh, and died 17th February 1758, leaving an only child, Grizel Little, married to her cousin Walter Little of Liberton, who died 22d September 1758. They had an only son, William Charles Little of Liberton, born 3d March 1742, who, in 1792, succeeded to the estate of Craigmiller, took the name of Gilmour, and died 1st October 1797, æta. 66. He married, in April 1763, Jean, daughter of Robert Clerk, advocate, brother of Sir John Clerk of Pennycuick, baronet, and had issue: 1. Walter Little Gilmour of Craigmiller and Liberton, born 2d February 1764, who died 1st April 1807. He married, 6th July 1805, Miss James Anne Macdowall, heiress of Canonmills, by whom he had a daughter, Jane, born 29th April 1806, and a posthumous son, Walter James Little Gilmour of Craigmiller and Liberton, born 24th April 1807. 2. William Charles, born 1766, died 1767. 3. Robert Little

Ross.

* William Little of Liberton was nephew of William Little of Liberton, who died without issue, having entailed that estate in 1682 on his sister Sarah, and *her second and other younger sons, and the heirs male* of their bodies; remainder to her eldest son. Sarah Little, his sister, married Walter Ranken of Orchardhead in Stirlingshire, and had two sons, 1. Gabriel Ranken of Orchardhead, who, on the death of his brother William without issue male, succeeded to the estate of Liberton, and took the name of Little. He married Sophia, *daughter of Sir John Clerk of Penuycuick*, baronet, by whom he had a son, Walter Little of Liberton. 2. William Ranken, who succeeding to his uncle, took the name of Little of Liberton, and married Helen Gilmour, by whom he had an only child, Grizel, who married her cousin Walter Little.

Gilmour, Esq. W. S. 4. John, master and commander in the royal navy, who died unmarried at Yarmouth, 25th May 1801. 5. Dugald Little Gilmour of Stonehouse, in the county of Stirling, major to the 95th regiment of foot, or rifle corps, which he commanded in Lord Wellington's last campaign in Portugal, with the rank of lieutenant-colonel in the army. 1. Susanna. 2. Helen, married to William Balderston, W. S. 3. Jean.

Lord Ross married, secondly, Lady Jean Ramsay, eldest daughter of George, second Earl of Dalhousie, and by her, who took to her second husband Robert, Viscount of Oxfurd, had issue,

1. Hon. *Charles* Ross of Balnagowan, colonel of the 5th, or Royal Irish regiment of dragoons from 1695 to 1715, and again from 1729 to 1732, who ranked as general in the army, from 1st April 1712. He entered heartily into the revolution, but engaged in Sir James Montgomery's plot for the restoration of the abdicated family in 1690, and was committed to the Tower of London. He was one of the lessees of the poll-tax, 1693; was Member of Parliament for the county of Ross from 1707 to 1732, and took an active part in the debates of the House of Commons. He supported the Tory administration, and was deprived of his regiment at the accession of King George I. He was one of the secret committee of the House of Commons to inquire into the conduct of the South Sea directors, 1720, when Mr Vernon, member for Whitchurch, making corrupt application to him on behalf of Mr Aislabie, one of the directors, General Ross complained of the same to the house, for which he received their thanks, and Mr Vernon was expelled, 12th May 1721. Soon after the accession of King George II., General Ross was restored to the command of his regiment; and dying, unmarried, at Bath, on the 5th of August 1732, was buried at Fearn in Ross-shire.

2. Hon. *Jean* Ross, married to William, sixth Earl of Dalhousie, and had issue.

XIX. William, twelfth Lord Ross, the eldest son, born about 1656, had a charter of the baronies of Melville, Halkhead, &c. 10th August 1669, to William, Master of Ross. Succeeding his father, 1682, he entered zealously into the revolution, 1689; was a privy-councillor to King William and Queen Anne, high commissioner to the church of Scotland, 1704; one of the lords of the treasury, and a commissioner for the union, of which treaty he was a staunch promoter. He was chosen one of the sixteen representatives of the Scotish peerage at the general election 1715, appointed lieutenant of the county of Renfrew the same year, and died at Halkhead on the 15th of March 1738, in the 82d year of his age. His Lordship married, first, 7th February 1679, Agnes, daughter and heiress of Sir John Wilkie of Fouldean, in the county of Berwick, and by her had a son,

George, thirteenth Lord Ross;—and three daughters,

1. Hon. *Eupheme* Ross, married to William, third Earl of Kilmarnock, and had issue.

2. Hon. *Mary* Ross, married, in 1710, to John, first, Duke of Atholl, and had issue.

3. Hon. *Grizel* Ross, married to Sir James Lockhart of Carstairs, in the county of Lanark, baronet, and by him, who died 31st July 1755, had six sons: 1. Sir William Lockhart of Carstairs, baronet, who proceeding in his carriage from Edinburgh to Lockharthall, 26th June 1758, the horses taking fright at Boroughmuirhead, and becoming unmanageable, he jumped out, his scull was fractured, and he died two days afterwards. He married, first, 25th July 1751, Miss Agnew, who died without issue; secondly, 13th January 1755, Catherine, second daughter of John Porterfield of Fullwood, advocate, and by her, who died 15th March 1807, had two daughters; Marion, the youngest, died unmarried, and Jane, the eldest, married 1st September 1777, William Bertram of Kersewell, by whom she had four sons and six daughters,—Archibald, a major in the army, who died unmarried; William, in the military service of the East India Company on the Bengal establishment; John, who died young; Allan, in the royal navy; Mary, who died unmarried; Marianne; Catherine; Anne; Jane; Cecilia. 2. Sir James Ross of Balnagowan, baronet, a major-general, co-

lonel of the 38th regiment of foot, who was wounded at the battle of Culloden in 1745. He married a daughter of Major John Crosbie, of the Earl of Glandore's family, but died without issue, in his 44th year, and was buried at Paddington, 30th September 1760. 3. Sir George Lockhart, baronet, who died, unmarried, at Boniington, 13th August 1778. 4. Charles, who went to India, and died unmarried. 5. Sir John Lockhart Ross of Balnagowan, baronet, born 11th November 1721, a distinguished naval officer, well known under the name of the gallant Captain Lockhart of the Tartar, which frigate, of 28 guns, he commanded in 1759, and with it, in the space of fifteen months, captured nine ships of war from the French, one of them the Melampe. He was promoted to the rank of admiral in the royal navy, 1779; was Member of Parliament for the boroughs of Lanark, &c. from 1761 to 1768, and for the county of Lanark from 1768 to 1774; was no less eminent in the arts of peace than of war, as his judicious improvements on the estate of Balnagowan testify. This gallant and philanthropic character died 9th June 1790, in his 69th year. He married, 6th September 1762, Elisabeth Baillie, heiress of the antient family of Baillie of Lamington, eldest daughter of Robert Dundas of Arnistoun, the second lord president of the Court of Session of that family, by his first wife Henrietta, daughter and heiress of Sir James Carmichael of Boningtoun, by Margaret, daughter and heiress of William Baillie of Lamington, and by her had three daughters, Grace, Henrietta, and Wilhelmina, who all died unmarried; and five sons:—Sir Charles Ross of Balnagowan, baronet, a lieutenant-general in the army, Member of Parliament for the boroughs of Kirkwall, &c. from 1786 to 1796, and for Ross-shire from 1796 to 1806. He married, first, in 1788, Maria Teresa, daughter of James Lockart of Lee and Carnwath, Count of the Holy Roman Empire, and by her, who dying 1st February 1791, æta. 24, was buried at Kensington, where is a monument to her memory, had a son, John, who died, 5th July 1797, and one daughter, Matilda, who, on the death of her uncle Charles, Count Lockhart of Lee, succeeded to her ancestor, Sir George Wishart's estate of Old-liston, and in consequence assumed the name of Wishart, and married, 6th January 1812, Captain Thomas Cochrane, R. N., eldest son of the Hon. Sir Alexander Forrester Cochrane, K. B. Sir Charles Ross married, secondly, 15th April 1799, Lady Mary Rebecca Fitzgerald, born 6th May 1777, eldest daughter of William Robert, second Duke of Leinster, by whom he has five daughters, Elisabeth; Emily; Mary; Louisa; and Geraldina; and one son, born 19th January 1811. James, appointed captain in the royal navy, 4th July 1794, who married 16th June 1799, Catherine, only surviving child and heiress of James Farquharson of Invercauld, and, in 1805, had the King's permission to take the name and arms of Farquharson of Invercauld. He died in 1809, æta. 38, leaving a son, James, and two daughters, Amelia and Elisabeth. George, who was admitted a member of the Faculty of Advocates in 1797. He married 27th June 1808, Grace, eldest daughter of Andrew Hunter of Barjarg, D. D., niece of Lord Napier, and has two sons, John and Andrew, and a daughter, Marion. John, captain of a company in the Coldstream regiment of foot-guards, and a lieutenant-colonel in the army, who fell at the battle of Talavera, 27th July 1809, in his 32d year. Robert, major to the fourth regiment of dragoon-guards. 6. Thomas Lockhart, esquire, one of the commissioners of excise in Scotland from 1770 till his death in 1779. He married, 11th December 1766, Henrietta Gordon of Newhall, in the shire of Cromarty, daughter of Charles Hamilton Gordon, advocate, by whom he had one daughter, Grace, married to Lewis Mackenzie, esquire, eldest son of Sir Roderick Mackenzie of Scatwell, baronet, without issue, and three sons, George, who died unmarried; William, who died unmarried; and Charles Lockhart of Newhall, who died 2d July 1804, leaving three daughters.

Lord Ross married, secondly, a daughter of Philip, Lord Wharton, without issue; thirdly, Lady Anne Hay, eldest daughter of John, second Marquis of Tweeddale, and by her had one daughter,

Hon. *Anne* Ross, who died unmarried.

Lord Ross married, fourthly, contract dated 16th June 1731, Henrietta, daughter of Sir Francis Scott of Thirlestane; but by her, who died at Edinburgh, 16th January 1750, had no issue.

XX. GEORGE, thirteenth Lord Ross, the only son, was appointed one of the commissioners of Excise in Scotland, 24th November 1726, and one of the commissioners of the Customs, 21st September 1730. He succeeded his father 1738, made a settlement of his estates, 17th June 1751, on his son, and the heirs of his body; which failing, on his daughters Jane, Elisabeth, and Mary respectively, and the heirs male of their bodies; remainder to his nearest heirs and assigns, and dying on the 17th of June 1754, in the 73d year of his age, was buried at Renfrew. He married Lady Elisabeth Kerr, third daughter of William, second Marquis of Lothian, and by her, who died at Halkhead, 22d May 1758, had issue,

1. *William*, fourteenth Lord Ross.

2. Hon. *Charles* Ross, who, in 1732, succeeded to the estate of Balnagowan, in virtue of an entail executed by his uncle 1727. He was chosen Member of Parliament for the county of Ross, at the general election 1741, was an officer in the army, and fell at the battle of Fontenoy, 30th April 1745, unmarried. The estate of Balnagowan devolved on his father; and Collins commemorated his untimely fate in a beautiful ode, containing these lines,

> O'er him, whose doom thy virtues grieve,
> Aërial forms shall sit at eve,
> And bend the pensive head;
> And, fall'n to save his injur'd land,
> Imperial Honour's awful hand
> Shall point his lonely bed.

3. Hon. *George* Ross, who died without issue.

1. Hon. *Jane* Ross, married, 28th July 1755, to John Mackye of Polgowan, who took the name of Ross, and she died without issue at Clifton, 19th August 1777. Her husband was admitted a member of the Faculty of Advocates, 1730; was Member of Parliament for Lanark, &c. from 1741 to 1747, and for the stewartry of Kirkcudbright from 1747 to 1768, and died at London in October 1797, in his 91st year.

2. Hon. *Elisabeth* Ross, married, 11th June 1755, to John, third Earl of Glasgow, and had issue.

3. Hon. *Mary* Ross, died unmarried at London, 22d October 1762, æta. 32.

XXI. WILLIAM, fourteenth Lord Ross, the only surviving son, was an officer in the royal army, commanded by Lord Loudoun, at Inverness in 1745, and, on the march to surprise the Chevalier at Moy in February 1746, was thrown down by the cavalry, and much hurt. He said he had been in many perils, but never found himself in a condition so grievous as on that day. He succeeded his father in June 1754, but enjoyed the title only two months, dying at Mount Tiviot, the seat of his uncle the Marquis of Lothian, of the gout in his head, on the 19th of August 1754, in the 34th year of his age, unmarried. The title became extinct; the estate of Balnagowan went to his cousin Sir James Ross Lockhart, after an ineffectual opposition from Sir Alexander Gilmour; and his other property devolved on his sisters.

ARMS.—Quarterly: 1st and 4th, Argent, a chevron cheque of the field and sable, between three water budgets of the last, for Ross; 2d and 3d, Gules, three crescents within a bordure, argent, the latter charged with eight roses of the field, barbed and seeded, proper, *for Melville*.

CREST.—On a wreath, a hawk's head, erased, proper.

SUPPORTERS.—Two goss-hawks, proper, armed, the bells and chesses, Or.

MOTTO.—*Think on.*

LESLIE, EARL OF ROTHES.

Rothes.

No Scotish sirname has been more conspicuous in Europe than that of Leslie. There were at one time three general officers of that name in the service of three sovereigns, namely, Walter, Count Leslie, of the Emperor of Germany; Alexander, Earl of Leven, of the King of Great Britain; and David Leslie (afterwards Lord Newark), of Gustavus Adolphus, King of Sweden. Several counts of the name of Leslie are settled in Germany, besides many considerable families in France, Russia, and Poland.

I. Bartholomew, a Flemish chief, settled with his followers in the district of Garioch, in Aberdeenshire, in the reign of King William I. His posterity were denominated de Lesley, from the place where he fixed his residence. His son,

Caledonia, I. 603.

II. Malcolm de Lesley obtained from David, Earl of Huntingdon, Lord of Garioch, brother of King William, a charter confirming to Malcolm de Lesley, son of Bartholomew, the whole lands of Leslyn, which his father had held. The charter is addressed, omnibus probis hominibus totius terræ suæ, Francis, Anglis, Flamingis, et Scotis, and was granted betwixt 1172 and 1199, as it is witnessed by Matthew, Bishop of Aberdeen, for that period, and specifies the lands to have been perambulated by him. He had a son,

Ibid.

Crawf. Peer. 427.

III. Norman de Lesley, who obtained from John, Earl of Huntingdon and Chester, a charter confirming that of his father David, Normanno filio Malcolmi, de terris de Leslyn, sicut carta patris sui inde testatur. It contains also a gift of the lands of Caskieben, for one knight's service, reserving the church of Leslyn to the abbacy of Lindores. It is said he married a daughter of the Lord of Lorn, and had a son,

Ibid.

IV. Leonard de Lesley, a valiant knight, who witnessed a charter of Isabel de Brus, daughter of David, Earl of Huntingdon, under the designation of filius Normanni, confirmed by King Alexander III. in the 24th year of his reign 1272-3. He married Catherine More, heiress of Taces in Fife, and by her had a son,

Rothes. Carta penes Com. de Rothes. D.

V. Norman de Lesley, who obtained from Alexander, in the 34th year of his reign, 1282-3, a grant of the woods and lands of Fetekill, now called Lesley, in Fife. Normannus de Lesselyn, chivaler, in 1296, swore fealty to Edward I. for lands lying in different counties. Normannus de Leghelyn was one of the magnates Scotiæ who renounced the confederation with France, 15th July 1296. He was by Edward appointed sheriff of the county of Aberdeen, in 1305; and by Elisabeth Leith, his wife, had two daughters, *Margaret*, married to Sir John Innes of Innes; and *Anne*, married to Sir Alexander Dunbar of Westfield; and a son,

Ibid.

Prynne, III. 651, 657.

Fœdera, II. 270.

Dalr. Ann. I. 314.

VI. Sir Andrew de Lesley, who married Mary, one of the three daughters and co-heiresses of Sir Alexander Abernethy of Abernethy, with whom he got the baronies of Ballinbreich in Fife, Cairny in Perthshire, Rothes in the county of Elgin, and other lands, and quartered the arms of Abernethy with his own. The marriage is documented by an indenture between Andrew de Lesley, son and heir of Norman de Lesley, with consent of Mary his wife, daughter, and one of the heirs of the deceased Sir Alexander de Abernethy, knight, on the one part, and Sir William Lindsay, rector of Air, and chamberlain of Scotland, on the other part, whereby the said Andrew obliges himself to infeft Lindsay in a twenty-four merk land in the tenement of Cairny in Perthshire, to be held of the granter, 19th June 1312. Andreas de Lescelyn signed the letter to the Pope asserting the independency of Scotland, 1320; and had four sons,

In Arch. Fam. de Douglas. D.

1. *Norman.*

Rothes.

2. *Walter*, Earl of Ross.

3. *Andrew*.

4. *George*, ancestor of the Lesleys of Balquhain, from whom descended Alexander, first Earl of Leven.

VII. NORMAN DE LESLEY, the eldest son, under the designation of Norman Lesly, domicellus de Scotia, witnessed the commission issued by the steward of Scotland for treating of the liberation of David II. 10th May 1356. Norman Lesselyn et Wauter son frere, Esquires d'Escose, had a safe conduct to pass through England, on their way to Prussia, 20th August 1356. Normannus de Lesseley had a safe conduct into England, 6th May 1358; again, 30th March 1359. He was, in 1358, sent, along with Sir Robert Erskine, ambassadors to solicit the Pope for a grant of the tenth part of the ecclesiastical revenues of Scotland, towards payment of the ransom of David II., which they obtained for three years. Sir Robert Erskine and Norman Lesley, by commission, wherein Norman is called by the King armiger noster, dated at Edinburgh, 10th May 1359, were constituted plenipotentiaries to treat with Charles the Dauphin, Regent of France, with whom they concluded an alliance. He had a safe conduct to come into England on the affairs of David II., 15th April 1362; again, 14th March 1363, and was present in the assembly at Inchmurdoch, 14th May 1363, when the steward of Scotland entered into an obligation, on oath, to adhere to David II.* He died before 11th February 1366, when David confirmed a charter of Margaret de Lesly, relict of the deceased Norman de Lesly, knight, to her cousin William Guppyld, and Norman his son, omnes et singulas partes meas terrarum quondam Domini Alexandri de Lamberton, militis, proavi mei, mihi jure hereditario contingentes vel contingend. de terris de Lumlethyn et Cragoc, infra vicecom. de Forfar, et Asdory, in Fife. From this charter it appears that Margaret, his wife, was grand-daughter, and one of the heirs of Sir Alexander de Lamberton. It does not appear that they had issue. Rothes.

Fœdera, V. 182, 866. VI. 82, 123.

Fordun, II. 393.

Dalr. Ann. II. 270.

Fœdera, VI. 391, 404.

Fordun, II. 393.

Reg. Mag. Sig. 50.

VII. ANDREW DE LESLEY, brother of Norman, granted the lands of Culmelly and Auld Culmelly, in the barony of Cusseny, in Aberdeenshire, to Bernard de Kergyll, confirmed 8th January 1373-4. Andrew Lesley gave a charter of the lands of Bad, in the barony of Rothynormand to Thomas Garden. He had a son. Reg. Mag. Sig. 100. Robertson's Index, 140.

VIII. NORMAN DE LESLEY, who is documented by a charter of King Robert III., confirming Normanno de Lesley, terras baroniæ de Balnebrech, infra vicecom. de Fyff, et terras baroniæ de Lowr, et terras de Dunlopy, infra vicecom. de Forfar, terras etiam baroniarum de Cusschene et Rothynormane, cum pertinen. infra vicecom. de Abyrdene, quæ fuerunt dicti Normanni, and which he had resigned into the hands of the deceased Robert, King of the Scots, our progenitor, at Linlithgow in his last council there, to be held by the said Norman and the heirs of his body, lawfully procreated or to be procreated; which failing, to George de Lesley, knight, and the heirs male of his body, lawfully to be procreated; which failing, to the legitimate heirs whatsoever of Norman, reserving to Andrew de Lesley, father of the said Norman, the free tenement of all these lands for his life. This charter is dated at Scone, 18th August 1390, tempore coronationis nostræ ibidem celebratæ. He died before 7th April 1392, when King Robert III. confirmed a charter granted to John de Ramesay of Culuthy, knight, by the deceased Normannus de Lesley, miles, Dominus de Balnabrech, dated at Balnabrech, 15th August 1390. His son, Reg. Mag. Sig. 187. Ibid. 208.

IX. DAVID DE LESLEY of Lesley, was one of the hostages for the ransom of James I., and had a safe conduct to Durham to meet King James I., 15th December 1423, under the designation of David de Lesle, Dominus de Lesle. He was not liberated till 20th June 1432, when William Baillie, knight, Dominus de Hoprik, came in his place. He confirmed his father's entail in 1438, and died soon afterwards, leaving a daughter, who inherited Fœdera, X. 309, 509. Carta penes de Rothes. D.

* Among the missing charters of David II., noticed in Robertson's Index, is one to Norman Lesly of ane pessina, induring the ward of Ballinbroich. Rob. Ind. 46.

Rothes.

the barony of Leslyn, which she carried to her husband, a gentleman of the same name, ancestor of the Lesleys of Lesley. The other estates went to the heir male,

VIII. Sir GEORGE LESLEY of Rothes*, who had from King Robert III. a charter of the barony of Carny in Perthshire, and another, on the resignation of Alexander, Earl of Ross, of the lands of Fithkill in Fife. He is designed Dominus de Rothes in a contract of marriage betwixt his sister Mary and one Elphinston, 1392, and had a confirmation from King Robert III., dated 1400, of a grant by Alexander, Earl of Ross, dilecto consanguineo suo Georgio de Lesley, Domino de Rothes, of the lands of Wodefield, Pitnamoon, and others in the county of Kincardine, made to him on account of his advancing 200 marks to relieve the earldom of Ross out of the King's hands, and for his good counsel and services. Georgius de Lesli de Rothas was one of the prisoners taken at the battle of Homildon, 1402, and married Elisabeth, eldest daughter of Sir Thomas Hay of Errol, constable of Scotland, by whom he had a son,

Robertson's Index, 139, 140.

Penes Com. de Rothes. D.

Ibid.

Fordun, II. 455.

IX. NORMAN DE LESLY of Rothes, who is documented by a sasine given 22d January 1433-4, by Robert Graham of Kynpounte, as bailie of Norman of Lesly of Rothes, to Lucas Stirling of Retherne, of the lands of the Kere, mortgaged by Norman to Lucas, proceeding on a precept dated 18th December 1433. Normans de Lesle de Fytherkyl had a safe conduct into England to meet King James I., 13th December 1423; he was one of the supplementary hostages for his ransom, 16th July 1425, and was ordered to be liberated 9th November 1427, when Henry de Douglas, Lord of Loghleven and Logton came in his place. He was served heir male of his cousin David de Lesley of Leslyn, 19th May 1439; and married Christian, daughter of Sir John Seton of Seton, for which a papal dispensation was obtained 2d December 1415, permitting them to marry, notwithstanding their being within the fourth degree of consanguinity. They had a son,

Penes Stirling de Keir. D.

Fordun, X. 309, 348, 381.

Penes Com. de Rothes. D.

A. Stuart, 442.

* The degree of his relationship to Norman de Lesley does not appear from the charter of Balnebreich, &c. 1390. Probably he was his cousin-german.

X. GEORGE DE LESLEY of Rothes, who, on the 7th May 1448, executed a procuratory for resigning into the King's hands the half of the lands of Keir, in favour of Lucas of Stirling. George, Dominus de Lesly super Leven, son of Norman, son of Sir George Lesly, knight, made a renunciation of the lands of Balvaird, 1450. George, Dominus de Lesley, witnessed a charter, 9th June 1453, and was created Earl of Rothes before 20th March 1457-8, when a charter was granted to George, Earl of Rothes, Lord Lesley, of the lands of Ballinbreich, Taces, Cairny, Fithes, Lower, Taveret, Cushnie, Fowlis-Mowat, Rothynorman, and Rothes; and he had another charter, on the 21st of the same month, erecting the town of Lesley Green into a free burgh of barony. It appears that he had incurred a forfeiture, as he had under the great seal, litera absolutionis de forisfactura, 15th October 1464. He had a charter of Wodefield, Tasky, Pitnamone, Esly, Balmane, and other lands in the county of Kincardine, 8th February 1475-6, and died about 1488. He married, first, Margaret, daughter of Lundin of Lundin in Fife, by whom he had a daughter,

Lady *Margaret*, married to George Lesley of Lesley, as appears from an obligation by him to George, Earl of Rothes, dated 20th May 1478, to which is appended his seal, the cognizance being three buckles on a fess.

He married, secondly, Christian, daughter of Walter, Lord Halyburton of Dirleton, by whom he had a son,

Andrew;—and two daughters,

1. Lady *Christian*, married to William, Lord Sinclair, and had issue.

2. Lady *Elisabeth*, married in 1483 to William, third Earl of Errol, and had one daughter.

He married, thirdly, Elisabeth Campbell. Elisabeth Campbell, Countess of Rothes, obtained a decreet of the lords of council, 25th October 1490, against George, Earl of Rothes, for the wrongous occupation of her terce of Ballinbrech and other lands, and withholding from her the profits of the same by the space of two years bygone; and 17th May 1491, a charge was given to George Lesley, brother of the deceased Alexander Lesley of Wardris.

Rothes.

Penes Stirling de Keir. D.

Chartul. of Dunfermline. D.

Carmichael's Tracts, 4.

Penes Com. de Rothes. D.

Mag. Sig. L. vi. No. 118.

L. vii. No. 304.

Penes Com. de Rothes. D.

Rec. Parl. 412.

Acta Dom. Conc. 156.

Rothes.

to bring with him a box which he had in keeping, of the deceased George, Earl of Rothes, and alleged by *Elisabeth*, Countess of Rothes, his relict, to contain 285 marks, the half of which belonged to her.

XI. ANDREW LESLEY, Master of Rothes, the only son, had a sasine to Andrew Lesly, son of George, Earl of Rothes, of the lands of Tasis in Fife, 16th November 1459. He died before his father, leaving by his wife, Lady Marjory Sinclair, youngest daughter of William, third Earl of Orkney, three sons,

Carmichael's Tracts, 4.

Mag. Sig. L. viii. No. 54.

1. *John*, who had a charter to John Lesley, grandson and heir apparent of George, Earl of Rothes, and Jonet Keith, his wife, of the lands of Balmane, in the shire of Kincardine, dated 21st January 1477-8. By the said Lady Jonet Keith, eldest daughter of William, first Earl Marischal, who married, secondly, Thomas, Lord Innermeath, he had no issue; and he predeceased his grandfather.

2. *George*, second Earl of Rothes.

3. *William*.

XII. GEORGE, second Earl of ROTHES, the eldest surviving son, succeeded his grandfather. George Leslie, grandson and apparent heir of the deceased George, Earl of Rothes, appeared in Parliament, 14th May 1491, as defender in a civil suit. He was killed at the battle of Flodden, 9th September 1513. His brother,

Rec. Parl. 411, 412.

Mag. Sig. L. xvii. No. 35.

XII. WILLIAM LESLEY had a charter to William Lesley, brother-german of George, Earl of Rothes, of the lands of Easter Sethis, in the barony of Fethis in Forfarshire, annexed to Ballinbriech in Fife, 7th August 1511, and was also killed at Flodden, 9th September 1513. He married Margaret, daughter of Sir Michael Balfour of Montquhanie, by whom he had two sons,

1. *George*, third Earl of Rothes.

L. xxvi. No. 102.

2. *John* Lesley, who had a charter to John Lesley, rector of Kynnore, brother-german of George, Earl of Rothes, of the King's lands of Parkhill in Fife, 24th March 1537. He was taken at the rout of Solway, 1542, and released 1st July 1543, on payment of a ransom of 200 marks sterling, assisted his nephew in the slaughter of Cardinal Betoun, for which he was forfeited, 14th August 1546, and died without issue.

Fœdera, XIV. 797.

Rothes.

Rec. Parl. 745.

XIII. GEORGE, third Earl of ROTHES, the eldest son, succeeded his uncle. That his father was not Earl of Rothes, is evident from a charter, dated 1st April 1517, wherein he is designed son of the deceased William Lesley, and heir of the deceased George, Earl of Rothes, his uncle. This charter was of the lands of Ballinbreich in Fife; Cairny in Perthshire; Fethis and Dunloppy, in Forfarshire; Balmane and Wodefeild, in the county of Kincardine; Foulis Mowat, in Aberdeenshire; Rothes, in the county of Elgin; Kildochis, in Inverness-shire, &c. to George, Earl of Rothes, and Margaret Crichton, "his affidate "spouse, if a dispensation for their marriage "can be obtained." He had charters of part of the lordship of Huntly from John, Lord Glamis, 8th December 1528, of the King's lands of Murdocarny, Rathulet, and Star, in Fife, 2d March 1528-9; of the office of sheriff of Fife, 1st June 1529; of the lands of Carny, to him and Agnes Somerville, his wife, 29th January 1529-30; to them of Drummyn and Dumbarroch in Fife, 24th August 1532; and to them of Rothes and Belhelvie, in the barony of Ballinbreich, 21st July 1536. He attended King James V. on his matrimonial expedition to France, 1536; and had a charter, dated 8th July 1539, of the lands and baronies of Ballinbreich, Fliskis, Tacis, and Easter Lauthrisk, in Fife; Carny, in Perthshire; Fethyis, and part of Dunloppy, in Forfarshire; Balmane and Wodefeild, in Kincardineshire; Quisny, Foulismowat, and Rothynorman, in Aberdeenshire; Rothes, in the county of Elgin; and Kildochis, in Inverness-shire; to George, Earl of Rothes, and his heirs whatever, and to Agnes Somerville, wife of the said Earl, and to Margaret Crichton, in liferent. He had another charter of the barony of Lesly in Fife, and erecting Lesly into a free burgh of barony, 10th July 1539, to him and his heirs whatever bearing the name and arms of Lesley, and to Agnes Somerville his wife, and to Margaret Crichton, in liferent. He was appointed

Mag. Sig. L. xxii. No. 198.

L. xxii. No. 244, 267. L. xxiii. No. 73, 165. L. xxv. No. 9, 306.

Crawf. Peer. 428.

Mag. Sig. L. xxvi. No. 286. L. xxix. No. 146.

Rothes. Halles's Catal. Mag. Sig. L. xxviii. No. 82.

an extraordinary lord of session, 2d July 1541, and had a charter of the office of sheriff of Fife, to himself in liferent, and Norman his son in fee, on his own resignation, 7th December 1541. He was tried for accession to the murder of Cardinal Betoun, but acquitted. He had charters of the baronies of Ballinbreich and Lesly, and the other property of the family in the counties of Fife, Perth, Forfar, Kincardine, Aberdeen, Elgin, and Inverness, forfeited by his son Norman, 6th September 1547; and to himself for life, and Andrew his son in fee, of the office of sheriff of Fife, 15th June 1548. He was sent ambassador to the court of Denmark, his commission being dated 24th June 1550, and Christiern, King of Denmark, the same year wrote a letter to Queen Mary, approving of and commending the Earl's conduct. His Lordship was one of the eight members elected by parliament, 18th December 1557, to represent the whole body of the Scotish nation at the nuptials of Queen Mary, and Francis the Dauphin, 24th April 1558. The firm conduct of these commissioners, in refusing the matrimonial crown, gave so much offence, as to occasion a suspicion that poison was administered, as the Earls of Rothes and Cassillis, and Bishop Reid, three of their number, died at Dieppe, in one night, 28th November 1558.

Pitscottie, 299. Mag. Sig. L. xxx. No. 136, 137, 810.

Sibb. Fife. 372.

Robertson's Illst.

George, Earl of Rothes, was contracted, in 1517, to Margaret, daughter of William, third Lord Crichton, grand-daughter of King James II.; but the marriage did not take place at that time, probably on account of the refusal of a dispensation. She however had, along with Agnes Somerville his wife, the liferent of his lands settled on her, 1539. After the death of Agnes Somerville, she was married to the Earl of Rothes, as she is designed wife of George, Earl of Rothes, in a charter to his son Norman Lesly, 21st October 1541; and she had a charter to Margaret Crichton, Countess of Rothes, of the King's lands of Drumcross, in the county of Linlithgow, 31st May 1542. By her he had a son,

Mag. Sig. L. xxvii. No. 33. L. xxviii. No. 189.

Norman Lesley, Master of Rothes, who had charters to Norman Lesley, son and heir of George, Earl of Rothes, of the baronies of Ballinbreich, Fliskis, and the other property of the family in the counties of Fife, Perth, Forfar, Kincardine, Aberdeen, Elgin, and Inverness, 14th February 1539-40; of Rothes, 13th December 1540; of the barony of Lesly in Fife, to him and the heirs male of his body; which failing, to his father and his heirs male in fee, and in liferent, to his father the Earl, Margaret Crichton his wife, and Isobel Lindsay, wife of Norman, 21st October 1541; of Ballinbreith and all the other lands of the family, to him and the heirs male of his body, which failing, to the heirs male whatever of the Earl, Peter Lesly and James Lesly his sons, Margaret Crichton, mother of the said Norman, and Isobel Lindsay his wife, 21st October 1542. He was the principal actor in the murder of Cardinal Betoun, 29th May 1546, for which he was found guilty of treason, and forfeited by parliament, 14th August 1546. He surrendered the castle of St Andrews to the French in 1547; went into the service of the King of France, and gained great reputation in an engagement betwixt that Monarch and the Emperor near Cambray, 1554. With thirty Scotsmen he rode up the hill on a fair grey gelding; he had above his coat of black velvet his coat of armour, with two broad white crosses, the one before and the other behind, with sleeves of mail. He charged sixty of the enemy's horsemen armed with culverins, followed by only seven of his men; he struck five from their horses with his spear before it broke, then drew his sword, and run in among them, not regarding their continual shooting, to the admiration of the beholders. He slew several of them, and at length, when he saw a company of spearmen coming against him, he rode up to the Constable of France, when his horse fell dead of its wounds, and he himself, being shot in divers places, was carried to the King's own tent, and died in fifteen days afterwards. He married Isabel, eldest daughter of John, fifth Lord Lindsay of Byres, but had no issue by her, who had a charter in her virginity for completing the marriage betwixt her and Norman Lesly, son of George, Earl of Rothes, of part of the baronies of Ballinbreich and Lesly, 22d February 1540-1.

Rothes. Mag. Sig. L. xxviii. No. 522. L. xxix. No. 124.

Rec. Parl. 722.

Melvil's Memoirs, 48.

Mag. Sig. L. xxxi. No. 20.

L. xxvii. No. 33, 191.

Rothes.

George, Earl of Rothes married, first, Elisabeth, eldest daughter of Andrew, third Lord Gray, relict of John, sixth Lord Glamis, and Alexander, third Earl of Huntly, as appears from a charter, dated 5th June 1525, of the baronies of Ballinbreich, Lesly, and the other property of the Rothes family already specified, to Elisabeth Gray, Countess of Huntly, for life, by George, Earl of Rothes, but by her he had no issue. He married, secondly, Agnes, daughter of Sir John Somerville of Cambusnethan, by whom he had issue,

Mag. Sig. L. xx. No. 148.

1. *Andrew*, fourth Earl of Rothes.
2. *Peter*.
3. *James*.
4. *John*, who was a prisoner in England, 1st July 1543, when King Henry VIII. issued an order for the liberation of "John "Lysle, yonger sonne to th' Erle of Ro- "thers," on payment of a ransom of 200 marks sterling.

Fœdera, XIV. 797.

1. Lady *Janet*, married to Crichton of Naughton.
2. Lady *Helen*, married to Mark Ker, commendator of Newbottle, and was mother of the first Earl of Lothian.
3. Lady *Elisabeth*, who had a charter to Elisabeth Lesly, daughter of George, Earl of Rothes, in her virginity, in liferent, of the lands of Kinninmont in the barony of Culerny in Fife, from David Barclay of Culerny, 25th June 1545. Probably she was daughter of Margaret Crichton.

Mag. Sig. L. xxix. No. 252.

On the death of Agnes Somerville, the Earl married, thirdly, Margaret Crichton, as already mentioned, and, it is said, had by her another son,

Robert Lesly of Findrassy;—and four daughters,

1. Lady *Agnes*, married to William, Earl of Morton, and had issue.
2. Lady *Beatrix*, married to Betoun of Criech.
3. Lady *Eupheme*, married to Learmonth of Balcomie.
4. Lady *Margaret*, married to Archibald, eighth Earl of Angus, without issue. She had a charter of the baronies of Abernethy, Bothwell, Douglas, and Dunsyre, in liferent, to Margaret Lesley, Countess of Angus, granted with consent of parliament, 29th November 1591.

Mag. Sig. L. xxxv. No. 549.

George, Earl of Rothes, married, fourthly, Isobel Lundie, relict of David, seventh Earl of Crawford (who died 1542,) but by her had no issue.

Rothes.

XIV. ANDREW, fourth Earl of ROTHES, the eldest surviving son, had charters to Andrew Lesley of Kilmany, eldest son procreated betwixt George, Earl of Rothes and Agnes Somerville his wife, and the heirs male of his body; which failing, to Peter and James his brothers, of the lands of Meikle Fethies, in Forfarshire, January 1535-6; Wester Newtoun, house of Sandfurd, and fishings of Wodhaven, in Fife, 7th February 1539-40; Balcaithlie, in Fife, 20th October 1540; and Corby and Corbybills, in Fife, 16th March 1540-1. After his brother Norman's attainder, he had charters of Ballinbreich, Lesly, and the other property of the family, 7th June 1548. He succeeded his father 1558, had charters to Andrew, Earl of Rothes, of Ballinbreich, Lesly, &c. 22d July 1564, and of the office of sheriff of Fife, 8th May 1565, all of which, with the earldom of Rothes, were ratified to him in parliament, 19th April 1567. He was attached to Queen Mary, and joined the association on her behalf at Hamilton, 9th May 1568. He had charters of Newtoun, to himself and Johanna Ruthven his wife, 22d September 1573; of the lordship of Abernethy, 25th August 1584; of part of Glaswell and Glaster, in Fife, 14th December 1590; and of the barony of Newtoun, Glaswell, Wester Nydie, and part of Kilmany, to himself and Jonet Durie his wife, 4th November 1592. He granted a charter of the lands of Newtoun, with consent of Janet Durie his wife, 16th June 1596, confirmed by charter under the great seal, 31st March 1620, in favorem quondam Georgii Leslie eorum ltimi filii inter ipsos procreat. hæredum eorum masculorum tunc de corpore suo ltime procreand. quibus deficien. Joanni Leslie nunc de Newtoun, eorum etiam filio ltimo, et hæredibus masculis tunc de corpore suo ltime procreandis; quibus etiam deficien. quondam Patricio, tunc commendatario, ac postea Dno de Lundoris, ltimo filio præfati quondam comitis, hæredibusque masculis ltime procreatis seu procreandis; quibus omnibus de-

Mag. Sig. L. xxviii. No. 404, 405, 406, 407. L. xxx. No. 209, 233. L. xxxii. No. 332, 457, 464.

Rec. Parl. 762.

Mag. Sig. L. xxxiv. No. 27. L. xxxvi. No. 19. L. xxxviii. No. 448, 498. L. xxxviii. No. 44. L. xliii. No. 117.

Rothes.

ficien. propinquioribus et ltimis hæredibus masculis dicti quondam Patricii Dni de Lundoris arma et cognomen de Leslie geren. quibuscunque. The Earl of Rothes had a charter of several lands in Fife to himself, and Jonet Durie, his wife; remainder to George and John Lesleys, their sons; Robert Lesley, brother-german of George; and Patrick Lesley, Dominus de Lindores, also son of the said Earl, 24th November 1601. His Lordship, who was highly esteemed by King James VI. as a nobleman of honour and probity, married, first, 16th June 1548, Grizel, daughter of Sir James Hamilton of Finnart, and by her had issue,

1. *James*, Master of Rothes.

2. *Patrick*, Commendator of Lindores, ancestor of the first Lords Lindores, and of the Lords Newark.

3. Hon. Sir *Andrew* Lesley of Lumbenny, who dying without issue, in March 1603, his nephew Patrick, Lord Lindores, was served heir of him, 9th April 1609.

1. Lady *Eupheme*, married to James, seventh Lord Lindsay of Byres, and had issue.

2. Lady *Elisabeth*, married, first, to David, son and heir apparent of Sir John Wemyss of Wemyss, without issue; secondly, to James, first Earl of Findlater, and had two daughters.

He married, secondly, Jean, daughter of Patrick, third Lord Ruthven, relict of Henry, second Lord Methven, and by her had two daughters,

1. Lady *Margaret*, married to Sir William Cunningham of Caprington. [qu.?]

2. Lady *Mary*, married to Robert, first Lord Melvill of Raith, without issue.

He married, thirdly, Janet, daughter of David Durie of Durie, in Fife. A charter was granted to Janet Durie, wife of Andrew, Earl of Rothes, in liferent, and in fee. George Leslie suo ltimo filio primogenito inter ipsam et dictam comitem, et hæredibus masculis de corpore dicti Georgii legitime procreandis, quibus deficientibus, Joanni Leslie, secundario ltimo filio dicti comitis procreato ut prædicitur, et hæredibus masculis ipsius Joannis de corpore suo ltime procreandis; quibus etiam deficientibus Roberto Leslie, ejus fratri germano et hæredibus suis masculis de corpore su ltime procreandis, quibus omnibus deficientibus Patricio Leslie, Domino de Lindores, etiam filio ltimo dicti comitis, hæredibus et assignatis ipsius Patricii, dated 26th December 1601. Another charter, of part of Newtoun, was granted to her in liferent, and in fee to her three sons, of the heirs male of their bodies respectively; remainder Patricio Leslie, Domino de Lindores, etiam dicti comitis legitimo filio, suisque hæredibus masculis et assignatis quibuscunque; 17th April 1612. She had issue,

Mag. Sig. L. xlii. No. 117.

Rothes.

Mag. Sig. L. xlvi. No. 441.

1. Hon. *George* Lesley, who died unmarried.

2. Hon. Sir *John* Lesley of Newton, ancestor of the fifth, and subsequent Lords Lindores.

3. Hon. *Robert* Lesley, who died without issue.

Daughter, Lady *Isabel*, married to James, Master of Sinclair, and had issue.

XV. JAMES, Master of ROTHES, the eldest son, predeceased his father. A charter of the baronies of Ballinbreich, Tasis, Cairny, and the other property of the family, was granted, 25th July 1598, to James Leslie, eldest son and heir apparent of James, Master of Rothes, and the heirs male of his body legitimately to be procreated; which failing, to George Leslie, second legitimate son of James, Master of Rothes, and the heirs male of his body legitimately to be procreated; which failing, to the heirs male whatsoever of the said James Leslie, eldest son and heir apparent of James, Master of Rothes. James, Master of Rothes, had a charter of the office of sheriff of Fife, 14th January 1601, on the resignation of his father. He married, first, Margaret, daughter of Patrick, sixth Lord Lindsay of Byres, by whom he had issue,

L. xli. No. 263. L. xlii. No. 104.

1. *James*, mentioned in the charter 1598, who died unmarried before his father.

2. *George*, who also died unmarried before his father.

1. *Margaret*, married to John Moray, minister of Dunfermline, fourth son of Robert Moray of Abercairny, without surviving issue.

2. *Isabel*, married to the laird of Newhall.

3. *Agnes*, married to Andrew Wardlaw of Torrie.

Rothes.

4. *Grizel*, married to Alexander, first Earl of Dunfermline.

He married, secondly, Catherine, eldest daughter of Patrick, third Lord Drummond; she had a charter of the dominical lands of Lesley, from him, in her virginity, 25th July 1598, and by her he had a son,

Mag. Sig. L. xli. No. 302.

John, fifth Earl of Rothes;—and a daughter,

Jean, married to Alexander Menzies of Weem.

XVI. JOHN, fifth Earl of ROTHES, the only surviving son, succeeded his grandfather, was served heir in general of George, Earl of Rothes, proavi, and of George, Earl of Rothes, abavi proavi, 28th February 1621; also, of George, Earl of Rothes, abavi proavi, in the lands of Petnamoone, in the county of Kincardine, 22d January 1636. He had charters of Condland in Fife, 31st July 1622, and of Inchgall, in the same county, 3d November 1632. He was a nobleman of popular talents and persuasive eloquence, fertile in expedients, but of a disposition prone to levity, and addicted to pleasure. He was one of the leaders of the opposition to the measures of Charles I. in the parliament 1633, when he asserted that the votes were erroneously reported; and he warmly embraced the covenant. He was one of the commissioners deputed to settle the pacification of Berwick, 1639; and was, in 1640, one of those nominated by the parliament of Scotland to treat with the English. Next year he was gained over to the King's party, by the promise of a rich marriage, and an office in the bed-chamber; as, in July 1641, he wrote to the estates at Edinburgh, desiring them to be more moderate in their measures, and to do nothing to irritate the King, who was immediately coming down to Scotland, and would give them all the satisfaction they could in justice require. He died at London in August 1641. Lord Clarendon says, "It is certain, the "King expected, by his assistance and "interest, to have found such a party in "Scotland as would have been more tender "of his honour than they after expressed "themselves; and he did always impute "the failure thereof to the absence of the "Earl, who, being sick at London when "the King went to Scotland, within six "weeks after died." He married Lady Anne Erskine, second daughter of John, Earl of Marr, and by her, who died 2d May 1640, had a son,

Inq. Ret. vii. 356. xv. 44.

Mag. Sig. L. l. No. 54. L. liv. No. 113. Laing, I. 131, et passim.

Hist. Reb. I. 280.

Rothes.

John, sixth Earl of Rothes;—and two daughters,

1. Lady *Margaret*, married, first, to James, Lord Balgony; secondly, to Francis, second Earl of Buccleuch; thirdly, in 1652, to David, second Earl of Wemyss; had issue to all three, and died in 1688.

2. Lady *Mary*, married to Hugh, seventh Earl of Eglintoun, and had issue.

XVII. JOHN, sixth Earl of ROTHES, the only son, was eleven years of age at his succession to the title. He was served heir of his father, 27th April 1642, and settled at Lesley in March 1650, having previously resided with his father-in-law, the Earl of Crawford, at Struthers. When Charles II. arrived in Scotland that year, the Earl of Rothes waited on his Majesty, carried the sword of state at his coronation, 1st January 1651, and the next month was appointed colonel of one of the two regiments of horse levied in Fife for the King's service. Accompanying the royal army into England, he was taken at the battle of Worcester, 3d September 1651, and sent prisoner to the Tower of London; afterwards, in 1654, to Newcastle. By the interest of the Countess of Dysart, he was set at liberty, and returned to Scotland in July 1655. He was committed to Edinburgh Castle by order of Cromwell, 3d January 1658, in order to prevent a duel betwixt him and Viscount Howard, who was commanded to stay at Berwick. His estate was sequestrated in April 1658; he was liberated 1st December 1658, and allowed to return to Leslie, on giving security, by means of General Monk. He afterwards went to Breda, to wait on King Charles II. On his Majesty's restoration, his Lordship set out for London, 12th May 1660, to offer his congratulations, and came back to Lesley, 8th September. He was constituted president of the council, and one of the extraordinary lords of session, 1st June 1661, and appointed his Majesty's high commissioner to the parliament which met at Edinburgh, 18th June 1663. The

Crawf. Off. St. 223 to 226.

Inq. Ret. xvi. 252.

Lamont's Annals, MS.

Ibid.

Rothes. same year, he received the staff of high treasurer of Scotland, was constituted captain of the troop of life guards, and general of the forces; and the next year appointed keeper of the privy-seal. He obtained a charter of the title, honour, and dignity of Earl of Rothes, Lord Lesley, and Ballinbreich, with the whole earldom, lands, baronies, and lordships therein mentioned, dated 4th July 1663, to him and the heirs male of his body; which failing, hæredi femellæ natu maximæ procreatæ seu procreandæ de corpore dicti comitis, vel de corpore ejus hæredum masculorum, absque divisione, dummodo dicta hæres femella natu maxima successive in omni tempore futuro succedens nubat viro nobili seu generoso cognominis de Leslie, vel aliter qui mutabit nomen suum sibique assumet cognomen de Leslie, quiquidem et eorum hæredes et liberi masculi et femellæ ex eorum corporibus procreand. cognomine de Leslie utentur, et insignia familiæ de Rothes gerent; remainder to the heirs male of the body of Margaret, Countess of Wemyss, sister of the Earl of Rothes, procreated betwixt her and her first husband, Alexander, Lord Balgony; remainder to the second son of Lady Mary Leslie, also sister of the Earl, procreated betwixt her and Hugh, Earl of Eglintoun, and the heirs male of his body; remainder to her third and younger sons, and the heirs male of their bodies respectively, with this proviso, that any of them succeeding as Earl of Eglintoun, the earldom of Rothes shall go to the next heir of entail; remainder to Sir John Leslie of Newtoun, knight, and the heirs male of his body; remainder to the heirs male whatsoever of the Earl of Rothes; which all failing, to his heirs and assigns whatsoever, with the original precedency. This charter was ratified by act of parliament the same year. His Lordship was, in October 1667, promoted to the office of high chancellor of Scotland for life, and created Duke of Rothes, Marquis of Ballinbreich, Earl of Lesly, Viscount of Lugtoun, Lord Auchmoutie and Caskieberry, by patent, dated at Windsor, 29th May 1680, with limitation to the heirs male of his body. The patent contains this clause, that the same nullo modo præjudicabit titulum honorem et dignitatem Comitis de Rothes, neque jura et diplomata ejusdem dicto comiti ejusque prædecessoribus concessa, ita quod hæredes talliæ et provisionis Joannis, Comitis de Rothes, qui jus succedendi in et ad titulum honorem et dignitatem dicti Comitis de Rothes, eodem modo et æque libere ac si hæc præsens litera nostra diplomatis, nunquam concessa fuisset. His Grace died at the Abbey of Holyroodhouse, 27th July 1681, in his 51st year. His body being privately carried up to the cathedral of St Giles, was conveyed, with the greatest magnificence that could be devised, to Holyroodhouse, where it was deposited for some time; and from thence, with the same funeral pomp, carried to Leith, and put on board a ship to be conveyed to Leslie. An engraving of that superb funeral procession has been made, and is well known. He had a ready dexterity in the management of affairs, with a soft insinuating address. He had a quick apprehension, and a clear judgment. He had no advantage of education, no sort of literature, nor had he travelled abroad; all in him was mere nature. Dying without male issue, his titles of Duke of Rothes, Marquis of Ballinbreich, &c. became extinct, and the earldom of Rothes devolved on his eldest daughter.

Rothes.

Burnet, I. 102.

His Grace married Lady Anne Lindsay, eldest daughter of John, Earl of Crawford and Lindsay, high treasurer of Scotland, by whom he had two daughters,

1. *Margaret*, Countess of Rothes.
2. Lady *Christian*, married, first, to James, third Marquis of Montrose, and was mother of the first Duke of Montrose; secondly, in 1687, to Sir John Bruce of Kinross, baronet, without issue.

XVIII. MARGARET, Countess of ROTHES, the eldest daughter, was served heir of entail and provision, of her father, in his extensive property in the counties of Aberdeen, Elgin, Fife, Forfar, Inverness, Kincardine, and Perth, 16th May 1682. She married, contract dated 7th October 1674, Charles, fifth Earl of Haddington; he died in 1685, and she survived till 20th August 1700. They had three sons,

Inq. Ret. xxxvi. 165, 183.

1. *John*, seventh Earl of Rothes.
2. *Thomas*, sixth Earl of Haddington.
3. Hon. *Charles* Hamilton, died young.

Patent in Crawf. Off. St. 225.

Rothes.

XIX. JOHN, seventh Earl of ROTHES, the eldest son, succeeded his mother, and took the oaths and his seat in parliament, 29th October 1700. He was appointed keeper of the privy seal 1704, but removed the next year; was chosen one of the sixteen representatives of the Scotish peerage at the general election 1708, and rechosen 1715 and 1722. After the accession of George I., his Lordship was appointed vice-admiral of Scotland in November 1714, had the government of Stirling Castle conferred on him 1715, and represented his Majesty, as high commissioner to the church of Scotland, from 1715 to 1721, both inclusive. Soon after the breaking out of the rebellion 1715, his Lordship marched with 500 men to seize upon Perth, but was prevented by the rebels, who took possession of that town, 18th September. A party of the rebels going to proclaim the Pretender at Kinross, 26th September, his Lordship entered the town, sword in hand, with a detachment of the Scots greys, put them to flight, seized Sir Thomas Bruce of Kinross, and carried him prisoner to Stirling, 28th September. These proceedings rendered him so obnoxious to the rebels, that, in October, a party of them came to his seat of Leslie, searched it for arms, forced open the church doors, broke into the family burial place, dug up the coffins, and tore them open. On the 17th of October, his Lordship, with 300 volunteers, and Lord Torphichen, with 200 horse, marched from Edinburgh to attack Seton House, then garrisoned by the rebels; but finding them so strongly entrenched within the gates, that it was impossible to dislodge them without artillery to batter the house, they returned, after exchanging some shots. His Lordship commanded the horse volunteers at the battle of Sheriffmuir, 13th November 1715, where he behaved with great gallantry; and, 2d January 1716, attempted to possess himself of the royal palace of Falkland, but was repulsed with loss by the rebels, who had received intelligence of his design. His Lordship was lieutenant of the counties of Fife, Kinross, and Aberdeen, and heritable sheriff of Fife; and died 9th May 1722 *.

His Lordship married, 29th April 1697, Lady Jean Hay, daughter of John, second Marquis of Tweeddale, high-chancellor of Scotland, and by her, who died at Leslie House, 4th September 1731, had twelve children.

Rothes. Sibbald's Fife, 372.

1. *John*, eighth Earl of Rothes.

2. Hon. *Charles* Leslie, who was captain of a Scotish regiment in the service of the states of Holland, appointed, in 1747, major of the Earl of Drumlanrig's regiment, raised for the same service, afterwards rose to the rank of colonel therein, and died at London, 16th August 1769.

3. Hon. *Thomas* Leslie, who was appointed equerry to the Prince of Wales, 1742, was a captain in the 46th regiment of foot, wounded and taken prisoner by the rebels at the battle of Preston, 1745; got the office of barrack-master of Scotland 1748, which he resigned 1769. He was elected Member of Parliament for the boroughs of Perth, &c. on a vacancy, 1743; rechosen at the general elections 1747 and 1754; and died in Sackville Street, London, 17th March 1772.

4. Hon. *James* Leslie of Milndeans, who was admitted a member of the Faculty of Advocates, 1726, was one of the commissaries of Edinburgh, and on the abolition of heritable jurisdictions, 1748, was appointed sheriff-depute of the county of Fife; he was also solicitor of Exchequer, which he resigned 1757, and died at Clapton, in Middlesex, 24th September 1761.

5. Hon. *David* Leslie, died young.

6. Hon. *William* Leslie, major-commandant of invalids in Ireland, who ranked as major in the army from 4th August 1762, and died at London, 29th January 1764.

7. Hon. *Francis* Leslie, died young.

8. Hon. *Andrew* Leslie, equerry to the Princess Dowager of Wales, who, on the death of John, ninth Earl of Rothes, in 1773, claimed the estate as heir male under an entail; but the Court of Session determined in favour of the Countess, his

* Macky says of the Earls of Rothes and Haddington. "They are two brothers, grandsons to that Duke " of Rothes, who made so great a figure in the reign " of King Charles II., and sons to the Earl of Haddington, who married the heiress of Rothes. They " are both warm assertors of the liberties of the peo- " ple, and in great esteem in their country. My Lord " Rothes is of vigilant application for the service of " his country. The other hath a genius whenever he " thinks fit to apply himself."

niece, and their judgment was affirmed by the House of Lords, 10th May 1774; of course Mr Leslie was unsuccessful in his claim. He died at Haddington, 27th August 1776; and, on his death, the Earl of Haddington became heir male of the body of Sir Thomas Hamilton, first Earl of Haddington.

1. Lady *Jane*, died at Edinburgh, 18th March 1771.

2. Lady *Mary*, died in infancy.

3. Lady *Margaret*, died at Fountainbridge, 23d February 1767.

4. Lady *Anne*, died young.

All the younger children were unmarried.

XX. JOHN, eighth Earl of ROTHES, the eldest son, preferring the military profession, got a troop of dragoons, 1715; a company in the foot-guards, 1717; was made lieutenant-colonel of the 21st regiment of foot, 1719; succeeded his father as Earl of Rothes, and in the government of Stirling Castle, 1722; was elected one of the sixteen representatives of the Scotish peerage, on the vacancy occasioned by the death of the Earl of Bute, 1723; and rechosen at the general elections 1727, 1747, 1754, and 1761. He got the command of the 25th regiment of foot, 29th May 1732; ranked as major-general in the army from 26th February 1743, and acted as such at the battle of Dettingen, 16th June that year. His Lordship was appointed chamberlain of Fife and Strathern, in June 1744; colonel of the second troop of horse grenadier-guards, 25th April 1745; and colonel of the 6th, or Inniskilling regiment of dragoons, 29th May following. At the battle of Rocoux, 1st October 1746, betwixt the British and the French, commanded by Marechal Saxe, his Lordship was at the head of the first line of cavalry, and behaved gallantly*. He obtained the command of the second regiment of dragoons, or royal Scots greys, 16th January 1750; was appointed governor of Duncannon fort, and a lieutenant-general on the staff in Ireland 1751; was promoted to the command of the third regiment of foot guards, 29th April 1752, and was invested with the order of the thistle in March 1753. His Lordship died at Leslie House, 10th December 1767, being then commander-in-chief of the forces in Ireland, a general in the army, colonel of the third regiment of foot-guards, a privy councillor in Ireland, knight of the thistle, and one of the sixteen representative peers of Scotland.

His Lordship married, first, at London, 25th May 1741, Hannah, youngest daughter and coheiress of Matthew Howard of Thorpe, in the county of Norfolk*, and by her, who died in Dublin, 26th April 1761, had four children,

1. *John*, ninth Earl of Rothes.

2. Hon. *Charles Howard* Leslie, who died unmarried, 18th August 1762, æta. 15.

1. Lady *Jane Elisabeth*, Countess of Rothes.

2. Lady *Mary*, born 29th August 1753, married at Esher, 5th November 1770, to William Charles, third Earl of Portmore, and died at Kedlestone, 21st March 1799, æta. 46, leaving issue.

His Lordship married, secondly, at Tyninghame, 27th June 1763, Miss Lloyd, daughter of Mary, Countess of Haddington, by her first husband, but had no issue by her. The Countess of Rothes married, secondly, 24th May 1770, Bennet Langton of Langton, in Lincolnshire, the valued and

* Under the act abolishing heritable jurisdictions, 1747, he was allowed for the sheriffship of Fife, *L.6268, 16s.* in full of his claim of *L.10,000.*

* Monument in St Mary-le-bone, London, thus inscribed: Near this place lies interred the body of Matthew Howard of Thorpe, in the county of Norfolk, esquire, who died 22d March 1737, in the 55th year of his age. He was blest with a sound and intelligent mind, which shone forth conspicuously in the habitual exercise of great and godlike virtues. In the midst of a profligate age, he was inviolably attached to justice, sincerity, and truth. He maintained, through the course of an exemplary life, a strict, yet an unaffected piety. He was an affectionate father, husband, and friend, a generous benefactor to the oppressed and indigent. He married Britannia, daughter of Thomas Cole, esquire; and by her, (who died 13th October 1714, in the 23d year of her age, and who is also buried in the same place), he had four children: Thomas, who died in his infancy; Elisabeth, married to Edward Rudge of Wheatfield, in the county of Oxford, esquire; Britannia, who died unmarried, 1st March 1731, in the 21st year of her age; and Hannah, married to John, Earl of Rothes. His wife and daughter, though snatched from the world by an early death, were ornaments to their sex, and deserved to be patterns for future ages to imitate. His two surviving daughters have caused this monument to be erected to the memory of their family. Malcolm's Londinum Redivivum, II. 158.

estimable friend of Dr Samuel Johnson; by him, who died at Southampton, 10th December 1810, æta. 65, her Ladyship had a large family.

XXI. JOHN, ninth Earl of ROTHES, the eldest son, born at London, 19th October 1744, had an ensign's commission in the third regiment of foot-guards, commanded by his father, 11th May 1760; succeeded to the title and estate, 1767, and died at Leslie House, 18th July 1773, in his 29th year. He married, 4th April 1768, Jane, second daughter of Captain Maitland of Soutra, in the county of Haddington, but had no children by her, who, 29th September 1774, took to her second husband, the Hon. Patrick Maitland of Freugh, in the county of Wigton, seventh son of Charles, sixth Earl of Lauderdale, and has issue. His sister,

XXI. Lady JANE ELISABETH LESLIE, became Countess of ROTHES on her brother's death in 1773. Her right to the estate was contested by her uncle the Hon. Andrew Leslie, but ineffectually, as already mentioned. Her Ladyship was born 5th May 1750, and died at London, on the 2d of June 1810, in her 61st year.

Her Ladyship married, first, at London, 1st January 1766, George Raymond Evelyn, youngest son of William Evelyn Glanville of St Clere in Kent; and by him, who died 23d December 1770, aged 32, and was buried at Godstone, in Surry*, where is a monument to his memory, had two sons, who died infants;—and

George William, tenth Earl of Rothes.

Her Ladyship married, secondly, at Brighthelmstone, 30th October 1772, Lucas Pepys, M. D. F. R. S. physician to the King, and physician-general to the army, created a baronet of Great Britain, 10th December 1783, by whom the Countess of Rothes had three children,

1. Hon. *Charles* Leslie, born 28th September 1774, who was several years an officer in the seventh regiment of dragoons, in which he had the command of a troop.

2. Lady *Harriot*, married, 28th November 1804, to William Courtenay, Esq. barrister-at-law, eldest son of Henry Reginald Courtenay, D. D. Lord Bishop of Exeter, by Lady Elisabeth Howard, daughter of Thomas, second Earl of Effingham.

3. Hon. *Henry* Leslie, M. A. rector of Sheephall, in Hertfordshire, and Wetherall, in Suffolk, appointed one of his Majesty's chaplains in April 1809.

XXII. GEORGE WILLIAM, tenth Earl of ROTHES, the only surviving son of the first marriage, born 28th March 1768, succeeded his mother in 1810. His Lordship married, first, at London, 24th May 1789, the Hon. Henrietta Ann Pelham, born 9th September 1767, eldest daughter of Thomas, Lord Pelham of Stanmer, in Sussex, created Earl of Chichester, 1801; and by her, who died at Brighthelmstone, 5th December 1797, æta. 31, had three daughters,

1. Lady *Henrietta Anne*.
2. Lady *Amelia*.
3. Lady *Mary*.

His Lordship married, secondly, in August 1798, Charlotte Julia, daughter of Colonel John Campbell of Dunoon, by whom he had, besides *Julia*, who died at Shrubhill, 2d January 1802, two daughters,

1. Lady *Elisabeth Jane*.
2. Lady *Georgiana*.

TITLES.—George William Leslie, Earl of Rothes, and Lord Leslie and Ballinbriech.

CREATION.—Earl of Rothes, before 20th March 1457-8, when a charter was granted to George, Earl of Rothes. New settlement of the earldom, by charter of 4th July 1663, recited at page 432.

ARMS.—Quarterly: 1st and 4th, Argent, on a bend, azure, three buckles, Or, for Leslie. 2d and 3d, Argent, a lion rampant, gules, debruised with a ribbon, sable, for Abernethy.

* William Evelyn Glanville of St Clere, in Kent, married, first, Frances, daughter and heiress of William Glanville, Esq. and had a daughter, Frances, married in 1744, to the Hon. Admiral Edward Boscawen, and was mother of George Evelyn, Viscount Falmouth; he married, secondly, Miss Bridget Raymond, and had two sons, William Evelyn of St Clere, M. P.; and George Raymond Evelyn, married to the Countess of Rothes.

Rothes.

CREST.—A demi-griffin, proper.

SUPPORTERS.—Two griffins, proper.

MOTTO.—*Grip fast.*

CHIEF SEATS.—Leslie House, in Fife; Shrubhill, near Dorking, in Surry. Rothes.

DUKE OF ROTHSAY.

Rothsay.

Fordun, II. 422.

DAVID, Earl of CARRICK, prince and steward of Scotland, eldest son of King Robert III., was created Duke of Rothsay in the Isle of Bute in a solemn council held at Scone, 28th April 1398, being the first introduction of the ducal dignity into Scotland. He fell a victim to the ambitious views of his uncle the Duke of Albany, 27th March 1402, in his 24th year, without issue, when, it would appear, his titles became extinct, or reverted to the crown; but nothing can be said with certainty, the charter or act of creation not being extant, so far as is known.

King Robert III., thus bereaved of his eldest son, granted a charter to his only surviving son and heir, James, steward of Scotland, quod habeat teneat et possideat pro toto tempore vitæ suæ omnes et singulas terras suas senescallatus Scotiæ, viz. baroniam de Renfreu cum pertinentiis suis; baroniam de Kyle senescalli cum justis suis pertinentiis infra vicecom. de Air, baroniam de Rathou cum suis pertinen. baroniam de Inerveick cum suis pertinen. infra vicecom. de Edinburgh; totas et integras terras insularum de Bute, Arran, Comrey majoris et minoris; totas et integras terras de Couall et Knapdaill, cum omnibus suis justis pertinentiis; totas et integras terras totius comitatus de Carricke cum omnibus suis justis pertinentiis; totas et integras terras de Kyle Regis, cum debitis et justis suis pertinen. infra vicecom. de Air; in liberam regalitatem seu regaliam, dated at Perth, 10th December 1404. Honours being then territorial and not personal, Prince James became of course Duke of Rothsay, Earl of Carrick, Lord of Kyle, and Baron of Renfrew. He succeeded to the throne of Scotland, by the stile of James I., on the death of his father, 4th April 1406.

Carmichael's Tracts, 103.

Rothsay.

By act of parliament, 27th November 1469, it was declared, that the lordship of Bute, with the castle of Rothsay, the lordship of Couall, with the castle of Donnune; the earldom of Carrick; the lands of Dundonald, with the castle of the same; the barony of Renfrew, with the lands and tenandries of the same; the lordship of Stewartoun; the lordship of Kilmarnock, with the castle of the same; the lordship of Dalry; the lands of Nodisdale, Kilbryde, Narristoun, and Cavirtoun; also the lands of Frarynzan, Drumcoll, Trebrauch, with the fortalice of the same, principibus primogenitis Regum Scotiæ successorum nostrorum, perpetuis futuris temporibus, uniantur incorporentur et annexantur.

Carmichael's Tracts, 122.

It is understood that from this period, the principality and stewartry of Scotland, the dukedom of Rothsay, the earldom of Carrick, the lordship of the Isles, and barony of Renfrew, have been vested in the first born son and heir apparent of the sovereign, who, from the moment of his birth, or of his father's accession to the throne, becomes Prince and Steward of Scotland, Duke of Rothsay, Earl of Carrick, Lord of the Isles, and Baron of Renfrew, with all the privileges of a peer of Scotland. That, in the event of the death of

Rothsay. such first born son without issue, the eldest son in existence of the King becomes entitled to these dignities. And that when there is no son and heir apparent of the sovereign in existence, the right vests in his Majesty, not, however, as King, but as Prince, or as supplying the place till a Prince shall exist.

In the roll or list of the peerage of Scotland, as it stood on the 1st day of May 1707, commonly called the Union Roll, laid before the House of Lords by the lord clerk-register of Scotland, in pursuance of their Lordships order of 22d December 1707, the title of Duke of Rothsay is not inserted, as the then sovereign, Queen Anne, had no son in existence. On the accession of King George I., in 1714, his eldest son and heir *apparent* George, Prince of Wales, becoming of course Duke of Rothsay, that title was placed at the head of the roll of the peers of Scotland. His Royal Highness being of full age *, (born 30th October 1683,) exercised his privilege as a peer of Scotland, by voting for the sixteen representatives of the Scotish peerage at the general election, 3d March 1715, by his proxy, John, Duke of Argyll; and again, 28th February 1716, at the election of a representative peer to supply the vacancy occasioned by the death of the Marquis of Tweeddale. His Royal Highness succeeded to the throne of Great Britain, 11th July 1727.

On that event, his eldest son and heir apparent Frederick, Prince of Wales, became Prince and Steward of Scotland, Duke of Rothsay, Earl of Carrick, Lord of the Isles, and Baron of Renfrew. His Royal Highness attained the period of majority, 20th January 1728, but never exercised his right of voting at elections of representative peers of Scotland. During his possession of the principality, the House of Lords, 12th June 1739, issued an order, requiring the Lords of Session in Scotland to make up a roll or list of the peers of Scotland at the time of the union, whose peerages are still continuing, and to lay the same before the House. In the return of the Lords of Session to the House of Peers, 27th February 1740, they stated, that alterations had been made in the union roll, particularly, that his Royal Highness the Prince of Wales, Prince and Steward of Scotland, had been added to the roll by the title of Duke of Rothsay; and they further certified, that the roll or list of the peers of Scotland stands at present, so far as with certainty appears to them, thus: a list was then subjoined, beginning, Dukes, his Royal Highness the Prince, Rothsay. This report, certifying his Royal Highness to be the first peer of Scotland, as Duke of Rothsay, was a public and solemn declaration of the opinion of the learned judges of the Court of Session, that he had a right to the dignity, and to exercise all the functions thereto belonging. As this report was received by the House of Lords, and recorded in their journals, the opinion of the judges thereby obtained the sanction and confirmation of that most honourable House. Frederick, Prince of Wales, died in the lifetime of his father, 20th March 1751, leaving, among other children, our present most gracious Sovereign, King George III.

Rothsay.

It was understood that the Principality of Scotland, Dukedom of Rothsay, &c. like the Duchy of Cornwall, in England, then reverted to the King; and his grandson, George William Frederick, Prince of Great Britain, electoral Prince of Brunswick Lunenburg, Duke of Edinburgh, Marquis of the Isle of Ely, Earl of Eltham, Viscount of Launceston, Baron of Snaudoun, knight of the most noble order of the Garter, was created, by patent bearing date 20th April 1751, Prince of Wales and Earl of Chester. In this patent the titles of Duke of Cornwall, Prince and Steward of Scotland, Duke of Rothsay, Earl of Carrick, Lord of the Isles, and Baron of Renfrew, were omitted, these honours being annexed to estates limited by law to the eldest son and heir apparent of the sovereign, both in England and Scotland, which the King could neither give nor withhold.

* It is a remarkable circumstance, that from the first creation of the Dukedom of Rothsay in 1398, to 1714, a period of 316 years, not one of the possessors attained the years of majority in the lifetime of his father, with the single exception of King Charles I., who came of age, 19th November 1621, and succeeded his father King James VI., 27th March 1625.

Rothsay.

However, on occasion of a signature being presented to the Barons of Exchequer in Scotland, for expeding a charter by the King as Prince and Steward of Scotland, a doubt arose, whether the principality returned to the King, or belonged to the eldest son of the late Prince, as heir apparent of the crown. A reference was made to his Majesty's Advocate (William Grant of Prestongrange) to consider the point, and report his opinion to the court. His Lordship accordingly made a report, wherein he specified several authentic acts concerning the principality of Scotland, and the usage and custom of entering the vassals thereof, from whence it appeared probable that the principality had been settled upon the plan of the act of parliament of Edward III., by which the duchy of Cornwall was limited to the eldest son of the King of England, and upon his death returned to the crown. But as the original act of settlement of the principality was not extant, and no instance had before occurred since the accession of the family of Stewart to the throne of Scotland, that when the King was alive, his eldest son died leaving issue, no certain opinion could be given on the present question. He concluded with recommending to the Barons to desire a conference with the Judges of the Court of Session, and he made no doubt that whatever should be resolved upon in this new case, after such conference by his Majesty's judges, would be acquiesced in by the officers of the crown and the principality, as well as by the vassals. A meeting of the whole judges was accordingly held in December 1751; after a long conference they differed in opinion, and the meeting broke up without coming to any determination. It was then proposed that application should be made for an act of parliament to clear this doubt, and to explain some other questions relative to the principality; and accordingly a draught of a bill was made, for declaring that the principality, since the death of the late Prince of Wales, was, and now stands vested in the King; that his royal successors the Kings and Queens of Great Britain should be entitled to hold and possess the principality until the existence of the eldest son of the King or Queen for the time being, who should be the apparent heir of the crown; and that such eldest son, upon his existence, should be entitled to possess the same, and if he died before the King, *either with or without issue*, the principality should return to the King, to be possessed by him until the existence of the eldest son and heir apparent of the crown; with other clauses, particularly one relating to passing charters in the name not only of the Prince, but also of the King.

Rothsay.

A copy of this draught was transmitted to London in January 1752, and laid before some of the officers of the crown; but upon considering the same, and finding that the original act of settlement of the principality was not extant, they were of opinion that this bill should not be moved in parliament during the minority of the Prince. A new bill was prepared, leaving the main question undetermined, and was passed next session of parliament, entitled, an act to obviate doubts that have arisen with regard to the admission of vassals within the principality of Scotland, of this tenor: Whereas a doubt has arisen, whether the lands and other heritages, commonly called by the name of the principality of Scotland, and as such possessed by his late Royal Highness Frederick, Prince of Wales, as Prince and Steward of Scotland, hath, upon his death, descended to his Royal Highness George William Frederick, now Prince of Wales, or whether *the same did return to the King's* most excellent Majesty, whereby it is rendered uncertain in what manner the vassals of the said principality ought to be entered, and to whom the rents, issues, and profits of the principality ought to be paid, and by whom the vassals should be thereof acquitted; and whereas by reason, especially by the loss of great part of the antient records of Scotland, the removing of that doubt may be attended with considerable delay and difficulty; and although the rents, issues, and profits of the principality itself are of very inconsiderable value, and have proved barely sufficient to defray the expence of the officers necessary for collecting or administrating the same, yet, in the mean time, it will be highly prejudicial to the vassals of the said principality, and

25 Geo. II. cap. 20.

Rothsay. to their heirs or singular successors or purchasers from them, if no certain method should be settled whereby their title to lands, or other heritages holding of the said principality, may be effectually made up and completed; for the relief, therefore, of the vassals, and all other persons who may be interested in lands and heritages holding of the said principality, it is enacted, that it shall and may be lawful for his Majesty, until his Royal Highness George William Frederick, Prince of Wales, shall attain the full age of twenty-one years, to hold and possess the said principality and stewartry of Scotland, and to give entries, charters, or infeftments to the vassals thereof, containing clauses of novodamus, and other clauses usual, and to do every other act concerning the said principality and stewartry of Scotland, in the same manner that hath been formerly practised and accustomed by his royal predecessors, the Kings or Queens of Scotland, or of Great Britain, when there was no prince in being; and all such entries, charters, infeftments, or other acts and deeds concerning the said principality, or any part thereof, shall be good, valid, and effectual in law to the vassals receiving the same, and all parties having interest therein, to all intents and purposes whatsoever, saving to the King's most excellent Majesty, his heirs and successors, and to his Royal Highness George William Frederick, Prince of Wales, his heirs and successors, all such right, title, or interest in, to, or out of the said principality or stewartry of Scotland, or to the rents, issues, and profits of the same, as they would have had in case this act had not been made, other than and except the right to avoid, impeach, or call in question any entry, charter, infeftment, or other act and deed to be made or granted by his Majesty to the vassals as aforesaid, and the payment of any rents, feuduties, or other duties and casualties, as against any vassals, tenants, singular successors, or purchasers, all which are by this act intended to be made good, valid, and effectual for, or in respect of such vassals, tenants, and singular successors, and all persons claiming, or to claim by, from, or under them, or any of them. Rothsay.

His Royal Highness George William Frederick, Prince of Wales, attained the period of majority 4th June 1759; but no further steps were taken for ascertaining the right to the principality; and he succeeded to the throne of Great Britain, 25th October 1760, when that right became vested in his Majesty, and so continued till 12th August 1762, the day of the birth of his first born son, and heir apparent,

George Augustus Frederick, Prince of Great Britain, Electoral Prince of Brunswick and Lunenburg, Prince of Wales, Duke of Cornwall and Rothsay, Marquis of the Isle of Ely, Earl of Chester, Carrick, and Eltham, Viscount of Launceston, Baron of Renfrew and Snaudoun, Lord of the Isles, and Steward of Scotland. His Royal Highness exercised his privilege as a peer of Scotland, by voting, by proxy, for two representatives of the Scotish peerage in room of the Duke of Queensberry and Earl of Abercorn, created peers of Great Britain, 28th March 1787, and at several elections since that period.

KER, DUKE OF ROXBURGHE.

Roxburghe. It has already been mentioned, under the article Marquis of Lothian, that the Kers of Cessfurd and Fernihirst are of Anglo-Norman lineage, and descended, as is said, from two brothers, who settled in Scotland in the thirteenth century. Nei- Roxburghe.

Roxburghe.

ther house would yield the superiority to the other, forming two distinct races of warlike border chieftains. The Kerrs of Fernihirst have already been treated of under the Lothian title; and we have now to detail the descent of the Kers of Cessford, progenitors of this distinguished family from

I. JOHN KER, who is documented by two charters, Johanni Ker de foresta de Selkirk, of all the lands and tenements in Auldtounburn, resigned by John de Copeland, which formerly belonged to Adam de Rule, dated the Monday after the feast of the Purification of the blessed Virgin, 1357; and to him and Mariot his wife, of part of the lands of Molla and Auldtounburn, in the regality of Sproustoun, on the resignation of William de Blackdene, dated the Thursday after the feast of St Michael, 1358.

Penes D. Roxburghe. D.

II. HENRICUS KERRE de Scotia, probably his son, had a safe conduct to come into England with a retinue of twelve attendants on horseback, 5th December 1363.

Fœdera, VI. 428.

III. ROBERT KER of Auldtounburn, probably his son, had a charter from Archibald, fourth Earl of Douglas, Roberto Ker de Auldtounburn, of the lands of Smeilholme and others, holding blench of the Earl, dated 20th June 1404. He had two sons,

Penes D. Roxburghe. D.

1. *Richard* Ker of Auldtounburn, who had charters from the same Earl of several lands in 1412, being therein designed filius et hæres Roberti Ker de Auldtounburn. He died without issue.

Ibid.

2. *Andrew.*

IV. ANDREW KER of Auldtounburn, the second son, was served heir of his brother Richard in 1428, had a charter of the barony of Prymside, on the resignation of Andrew Rule, nobili viro Andreæ Ker, Domino de Auldtounburn, dated 20th November 1430, and a confirmation of the same from the superior, Archibald, Duke of Touraine, Andreæ Ker, Domino de Auldtounburn, scutifero suo, 6th August 1432. He had charters of several lands in the regality of Sproustoun, from the same Duke, dilecto consanguineo suo Andreæ Ker de Auldtounburn, 1439, and of the barony of Cessfurd, honorabili viro Andreæ Ker de Auldtounburn, in 1446. He died before 1450, leaving three sons,

Ibid.

Roxburghe.

1. *Andrew.*

2. *James* Ker of Linton, also designed brother-german of Andrew Ker of Auldtounburn in the same charter. He had a charter to James Ker, brother of Andrew Ker of Auldtounburn, of twenty marks of the King's lands of Bonington, in the shire of Linlithgow, 12th April 1452. His descendants in the male line existed for several generations.

Mag. Sig. L. iv. No. 85.

3. *Thomas* Ker of Gaitshaw, designed brother-german of Andrew Ker of Auldtounburn, in a charter of William, Earl of Douglas, to George Ker, of the lands of Huttonhall, dated 11th January 145½. His descendants in the male line also existed for several generations.

Penes D. Roxburghe. D.

V. ANDREW KER of Auldtounburn and Cessfurd, the eldest son, had a precept from William, Earl of Douglas, for infefting him in Prymside and other lands, as heir of his father, 19th August 1450. He had a charter of the lands of Catiscleugh, in the barony of Herbertshire, forfeited by Alexander Livingstone, knight, 25th July 1450. Andrew Karre was one of those selected to accompany the Earl of Douglas to Rome, to whom a safe conduct was granted, 12th November 1450; and another was granted 12th May 1451, to the Earl, Andrew Ker of Aldtoneburn, Thomas Ker, James Ker, probably his brothers, and other persons. He had a charter of the King's lands of his barony of Auld Roxburghe, 6th February 1451-2. Andrew Ker was one of the conservators of a truce with the English, 23d May 1453, and Andrew Ker of Cessfurd appears in the same capacity, 11th June 1457, and 4th September 1459. A letter under the great seal was granted, 7th January 1464-5, to Andrew Ker of Auldtounburn, of the ward of the lands, and of the marriage of Robert Mow *; and he died about 1480. He

Ibid.

Mag. Sig. L. iv. No. 51.

Fœdera, XI. 277, 285.

Mag. Sig. L. iv. No. 111.

Fœdera, XI. 331, 393. 434.

* A remission was granted to Andrew Ker, son and heir of Andrew Ker of Cessfurd, by parliament, 13th October 1466, for being concerned with the Boyds

Roxburghe.

married, first, a daughter of William Douglas of Cavers, and had issue,

1. *Walter*.
2. *Thomas*.
3. *William*.

Mag. Sig. L. xv. No. 32.

4. *Radulph*. A charter was granted to Radulph Ker of Primsideloch, and Margaret Rutherford, his wife, of half of Heytoun, in Roxburghshire, on the resignation of Robert Colvill of Uchiltrie, dated 6th May 1509. His eldest son, Andrew Ker of Prymsideloch, was alive in 1535; and was father of Gilbert Ker of Prymsideloch, alive in 1563. Andrew Ker of Heitoun, was, on the 18th of March 1617, served heir in special of Andrew Ker of Heitoun, knight, his father; and, on the 30th June 1620, heir in general of Ralph Ker of Prymsydloch, the grandfather of his great-grandfather, (atavus) Andrew, alias Dand Ker of Prymsydloch, his great-grandfather, Gilbert Ker of Prymsydloch, his grandfather, and Mariota Pringle, Lady Greinheid, his grandmother.

Pedigree of Ker of Littledean.

Inq. Ret. vi. 214. vii. 233.

Daughter, *Margaret*, married, first, to Sir James Sandilands of Calder; secondly, to William, third Earl of Errol.

Andrew Ker married, secondly, Margaret, daughter of Tweedy of Drumelzier, by whom it does not appear he had issue.

Penes D. Roxburghe. D.

VI. WALTER KER of Cessfurd, the eldest son, in 1471, got a precept from William Douglas of Cavers, his grandfather, for infefting him in the lands of Borthwickshiels, as son and heir apparent of Andrew Ker of Cessfurd. He had a charter to Walter Ker, son and heir apparent of Andrew Ker of Cessfurd, and the heirs male of his body; remainder to Thomas, William, and Radulphus, brothers of Walter, and the heirs male of their bodies; of the lands of Cessfurd, Huntlesland, Auld Roxburghe, Auldtounburn, and Prymsyde, on the resignation of his father, reserving her terce to Margaret Tweedy, wife of Andrew, dated 5th April 1474. He had a charter to him and the heirs male of his body, remainder to his three brothers, of the lands of Cessfurd, Auld Roxburghe, Auldtounburn, Prymside, part of Smalehame, and Huntlesland in the barony of Cavertoun, 8th May 1481; and another, of part of the lordship of Caverton, forfeited by Lord Boyd, 7th August 1484. Wat Carre was one of the commissioners for settling border disputes with the English, 18th October 1484. Walter Ker of Cessfurd had charters of the castle, castlestead, place, and messuage of Roxburghe, and the right of patronage of the hospital of Maison Dieu of Roxburghe, 3d August 1488. Walter Ker de Cesford, was a commissioner to treat with the English, 16th December 1491; had charters of part of Cavertoun, 7th January 1491-2; and of the barony of Cessfurd, 13th March 1493-4. He had a safe conduct into England with other commissioners, 28th July 1494; got a charter of the castle and castlestead of Roxburghe, Maison Dieu of Roxburghe, and Maison Dieu of Jedburgh, 20th February 1499-1500; had a gift under the privy-seal, of the ward and marriage of Richard Ruyerford of that ilk, 25th October 1500, to Walter Ker of Cessfurd, Andrew Ker, son to umql Sir Robert Ker of Caverton, knight, and appearand heir to the said Walter. Walter Ker of Cessfurd founded a chapel at Cavertoun, pro salute corporis et animæ nostræ, et pro salute animæ dicti Walteri, et animæ Roberti Ker, militis, filii dicti Walteri, nuper defuncti, confirmed by charter under the great seal, 6th November 1500; and he died about the festival of St Catherine, (25th November) 1501.

Roxburghe.

Fœdera, XII. 246.

Mag. Sig. L. xii. No. 9.

Fœdera, XII. 469.

Mag. Sig. L. xii. No. 242.

L. xiii. No. 90.

Fœdera, XII. 555.

Mag. Sig. L. xiii. No. 415.

Privy-Seal, ii. 15.

Carta penes D. Roxburghe.

Retour, Ibid.

He was twice married. By his first wife he had issue,

1. Sir *Robert*.

2. *Mark* Ker of Dolphingstoun, who is documented by two acts of the lords of council of 2d March 1501-2, of this tenor: "Dand Ker of the Farniehirst, is becum-"ing plege for Mark Ker, the son of "umql Walter Ker of Cesfurd, that George "of Ruyrfurd, and Jhonne of Ruyrfurd, "sons till Bertilmaw Ruyrfurd, sall be harm-"less and skaithless of him, and all that "he may let, but fraud or gyll, under the "pain of 300 merks for ilk persoune." And "Mark Ker, the sone of umql Walter Ker "of Cesfurd, is becumyng pledge and so-"vertie for Dand Ker of the Farniehirst," to the same effect. But notwithstanding of these pledges, there appears in the books of

Acts of Council.

in carrying off King James III. from Linlithgow. Mag. Sig. L. vii. No. 91.

Roxburghe.

privy-seal, "Præceptum remissionis Marci "Ker de Dolphingstoun," for a violent assault and outrage upon the above John Rutherfurd, dated at Jedburghe, 10th December 1504. He acquired the lands of Dolphingstoun, by his marriage with Marjorie Ainslie, lady of Dolphingstoun, (who was ward of his father), before 27th April 1502, when "Mark Ker of Dolphingstoun" occurs in a precept of sasine. This lady was daughter and heiress of John Ainslie of Dolphingstoun, who died in 1486; as Marjorie Anyslee was served heir of her father, John Anyslee of Dolphinstoun, 28th August 1500, the retour bearing, that the said lands were in the King's hands since the death of the said John, fourteen years preceding, on account of the nonage of the said Marjorie. Their descendants have ever since carried the quartered arms of Ker and Ainslie. Mark Ker of Dolphingstoun was tutor to his nephew Dand, or Andrew Ker of Cessfurd, during his minority, as appears from many records. Mark Ker of Dolphingstoun, had a charter of the lands of Maxtoun, from Robert Colvill of Ochiltree, 23d July 1509, of which there is a confirmation by the crown. Mark Ker of Dolphintoun granted a bond to "ane honorable "lady, Helene Ruyerfurd, lady of yat ilk, "my sister dochter," engaging to stand by, and assist her in recovering certain lands and heritages belonging to her, out of the hands of Thomas Rutherford, the heir male of the family; and obliging himself, if he should fail to render her effectual service in this respect, to restore to her certain lands in Maxtoun, of which she had granted him charter and sasine. This document, which is dated 10th November 1516, incontestibly proves, that Mark Ker of Dolphingstoun, was son of Walter Ker of Cessfurd, Helen Rutherford of Rutherford, having by other documents been demonstrated to be daughter of Elisabeth Ker, daughter of Walter Ker of Cessfurd; and the same fact is further corroborated by many charters of entail of the estates of Cessfurd, from the 1540 to 1573, in which Mark Ker of Dolphingstoun, and his son and grandson Sir Andrew and Walter, are called to the succession of these estates, in the precise place they ought to have stood according to the pedigree here stated. Mark Ker took the designation of Littleden, promiscuously with that of Dolphingstoun, he having erected a tower or fortalice on the lands of Maxton or Littleden, acquired partly from Colvill of Ochiltree, and partly from Helen Rutherford. He resigned these lands of Maxton or Littleden, into the Queen's hands, 4th May 1550; and a charter was granted, 27th July following, of the lands of Maxtoun, Littleden, Dolphinstoun, Faulay, Cowbog, Hirsell, &c. in favor of Andrew Ker of Dolphingstoun, his son and heir apparent, and the heirs male of his body; which failing, to John Ker, Master Thomas Ker, and William Ker, brothers-german of Andrew, Walter Ker of Cessfurd, Andrew Ker son and heir of the deceased George Ker of Faldounside, Andrew Ker of Graden, and the heirs male of their bodies respectively; which failing, to the legitimate and nearest heirs male whatsoever of the said Andrew Ker of Dolphinstoun, bearing the name and arms of Ker. Mark Ker of Dolphinstoun was one of the lords of council who, in 1524, put a period to the regency of John, Duke of Albany, and subscribed a bond to support the government of the young King, James V., against the Duke and his abettors. He died before 13th November 1551, having had, by the said Marjorie Ainslie, four sons, 1. Sir *Andreæ*. 2. *John*. 3. *Thomas*. 4. *William*. II. Sir Andrew Ker, the eldest son, was designed of Dolphingstoun, Littleden, and Hirsell, promiscuously. He had a charter, Andreæ Ker, filio et hæredi apparenti Marci Ker de Litildene, et Marjoriæ Ainslie, Dominæ de Dolphintoun, sponsæ præfati Marci, of the lands of Dolphinstoun, with part thereof, in conjunct fee, to him and Margaret Cranstoun his wife, on the resignation of his mother, Marjorie Ainslie, dated 3d January 1525-6. He had a charter from King James V., dilecto nostro servitori Andreæ Ker de Dolphintoun, filio et hæredi apparanti Marci Ker de Litildene, of the King's lands of Hairsell, with the mill and fishings of the same in the river Tweed, 6th October 1542. He had a charter of Maxtoun, Littleden, Dolphingstoun, Hirsell, and others, 27th July 1550, and succeeded his father before 13th November 1551, on which day a precept of clare constat was granted by Sir

Roxburghe.

Privy-Seal, iii. 78.

Penes D. Roxburghe.

Ibid.

Penes Marq. Lothian.

Acts of Council, 31st July, 4th and 7th December 1503.

Mag. Sig. L. xvi. No 83.

Acts of Council, 18th May 1534.

Acts of Council.—Original Bond, Cotton MS. British Museum.

Penes D. Roxburghe, and Mag. Sig.

Mag. Sig. L. xxi. No. 216.

L. xxviii. No. 330.

Penes Marq. de Lothian.

Roxburghe. Walter Ker of Cessfurd, to Sir Andrew Ker of Hirsell, knight, as nearest and lawful heir of the deceased Mark Ker of Littleden, his father, in the lands of Borthwickshiels. On the same day, he had a gift under the Privy-Seal, xxiv. 42. privy-seal, of a pension, formerly enjoyed by his father, of L.100, for his good, true, faithfull, and thankfull service done to the Queen, and her father, against their old enemies of England, and defence of the realm in time of war. He resigned the lands of Ibid. xxvii. 51. Hirsell and others, in favour of Walter Ker, his son and heir apparent, upon which a charter was obtained from the crown in favour of Walter, 8th April 1554; and he was dead before 4th October 1575. His son and and successor, III. WALTER KER of Littleden, had the lands of Hirsell, on Retour in Chancery. his father's resignation, 8th April 1554, and was served heir in special of Sir Andrew Ker of Hirsel, knight, his father, in the lands of Borthwickshiels, 4th October 1575. Penes M. de Lothian. He had a charter of resignation under the great seal, 9th February 1587-8, of the lands of Littledene, Maxtoun, Dolphinstoun, Fallay, Morbottill, Cowboig, &c. to himself, and of Hirsell, &c. Joanni Ker de Hirsell, filio et hæredi dicti Walteri, on his resignation. Ibid. He granted a charter of the lands and barony of Lyntoun, to his eldest son and heir apparent, Sir John Ker of Hirsell, knight, 22d November 1595; and he was dead before 15th March 1608. His eldest son, IV. Sir JOHN KER of Hirsell, Dolphinstoun, Ibid. and Littleden, had a charter of Hirsell, 9th February 1587-8; and another of Lintoun, 22d November 1595. A charter was granted, 15th March 1608, confirming to Sir John Ker of Hirsell, knight, two charters to him by his deceased father, Walter Ker of Littleden, of Maxton, Littleden, Dolphinstoun, Linton, and others. Sir John Ker, with consent of Dame Margaret Quhytlaw, his spouse, made an ex- Ibid. cambion in 1611, of the lands of Hirsell, with the Earl of Home, for his Lordship's property of the abbacy of Jedburgh, of which the Earl had got a gift from the crown, reserving an annualrent out of Hirsell, to Dame Margaret Home, relict of umquhile Sir Mark Ker of Dolphinstoun, knight, son of Sir John Ker, and now spouse to David Home, fiar of Wedderburn. Sir John Ker now took the designation of Jedburgh; Sir John Ker of Jed- Roxburghe. burgh, knight, Dame Margaret Quhytelaw, Penes M. de Lothian. his spouse, and John Ker of Langnewton, their eldest lawful son, lawfully procreated betwixt them, granted a charter in June and July 1619. Sir John Ker of Jedburgh, had charters of the lordship of Jedburgh, 22d Mag. Sig. April 1619; of the lands of Nisbet, to him L. xlix. No. 165, 167, and John, his son, 6th July 1619; and of the 246. barony of Tarras, 22d February 1620; and died before 31st August 1631. He had several sons, of whom the two eldest were, 1. Sir *Mark* Ker, who, as appears from the contract of excambion of the lands of Hirsell and Jedburgh, died before 1611, in the lifetime of his father. He married Margaret Home, who took to her second husband, David Home of Wedderburn. 2. *John.* V. JOHN KER of Langnewton, the second, but eldest surviving son, had a charter, on his father's L. xlix. resignation, of the lands of Maxtoun, Little- No. 101. den, Dolphingstoun, Morbattle, Borthwickshiels, and Linton, to John Ker, eldest lawful son of Sir John Ker of Jedburgh, knight, procreate betwixt him and Dame Margaret Quhytlaw, his spouse, 9th February 1619. He was served heir of his father, Sir John Retour in Chancery. Ker of Jedburgh, knight, 31st August 1631. He had an only son, VI. ANDREW KER of Littledean, who is documented by a bond of William, Earl of Lothian, in favour of Andrew Ker, only lawful son to John Ker Penes Ker de Littledean. of Littledean, obliging himself to dispone to the said Andrew, the lands of Littledean and Maxton (which had been apprized from his father), 9th February 1633. He had a disposition from the Earl of these lands, 30th December 1646; and made his will, 19th July 1648, in which he constituted Ibid. Andrew Ker, his eldest lawful son, his executor. He died after 1667; and was succeeded by his eldest son, VII. ANDREW KER of Littledean, who, with consent of his father, entered into a contract of marriage, 12th October 1666, with Isabel, eldest daughter of John Rutherford of Edzarstoun, whereby Andrew Ker, the father, settled Littledean, or Maxton, and Nenthorn, upon his said son, and the heirs of the marriage. He was succeeded by his son, VIII. WALTER KER of Littledean, who had a charter, under the great seal, of the barony of Littledean and Maxton, in favour of Walter Ker of Littledean, eldest Ibid.

Roxburghe.

son of Andrew Ker of Littledean, 10th February 1681, proceeding on the resignation of the said Andrew. He was succeeded by his son, IX. JOHN STROTHER KER of Littledean, who, on the 29th of March 1789, was served nearest and lawful heir male of tailzie and provision to Walter Ker of Littledean, his father. He was succeeded by his eldest son, X. WALTER KER of Littledean, who was served heir male of tailzie and provision of John Strother Ker of Littledean, his father, 8th October 1779. He had two sons, 1. *John Strother* Ker of Littledean, who was served heir male of tailzie and provision of Walter Ker of Littledean, his father, 21st July 1789; was major of the 2d regiment of dragoons, or royal Scots greys, and a lieutenant-colonel in the army. He died unmarried, at Delmenhorst, 25th June 1796. 2. *Walter*. XI. WALTER KER of Littledean, the second, but eldest surviving son, succeeded his brother, of whom he was served heir male of line, tailzie, and provision, 9th August 1796; and ranks as major-general in the army. He married, in June 1797, Jane, youngest daughter of the late Matthew Forster of Bolton, in Northumberland, and has issue.

Retour in Chancery.

Ibid.

Ibid.

He applied to the Court of Session in May 1804, for recovering and recording in the register of tailzies, the deeds of entail of the Roxburghe estates, which, after a good deal of litigation, was accomplished. He was, 18th June 1804, before a most respectable inquest of gentlemen of the law, served nearest lawful heir male of Robert, first Earl of Roxburghe, and his son Hary, Lord Ker. On the death of William, Duke of Roxburghe, 22d October 1805, Major-General Ker asserted his right to the estates, but after a long litigation, first the Court of Session, and then the House of Lords adjudged them in favour of Sir James Innes Ker; who also attempted to impugn the service of Major-General Walter Ker, as heir male of the first Earl of Roxburghe, but withdrew his action, 11th December 1811, when the Court of Session assoilzied Major-General Ker, and found him entitled to his expences; thus by a formal decree establishing the General's pedigree, and his right to the character of undoubted heir male of the antient family of Ker of Cessfurd and Roxburghe*.

Roxburghe.

Daughter, *Elisabeth*, married, first, contract dated 12th February 1484, to Philip, son and heir apparent of James Rutherford of Rutherford, by whom she had a daughter, Helen Rutherford of Rutherford, already mentioned; secondly, before 23d October 1495, to Sir Walter Scott of Branxholm, and had issue by him also.

Penes D. Roxburghe. D.

Walter Ker married, secondly, Agnes, daughter of William, Lord Crichton, chancellor of Scotland, relict of Alexander, fourth Lord Glammis, who died in 1485, as "Agnes Laidy Glammis and Walter Ker "of Cesfurd hir spous ye spous of um- "quhile Alexander Lord Glammis," appeared in parliament, 10th May 1491, as pursuers in a civil cause.

Rec. Parl. 408.

VII. Sir ROBERT KER of Cavertoun, the only son, had a charter, Roberto Ker, militi, filio et hæredi apparenti Walteri Ker de Cessfurd, of part of the barony of Haldene in Roxburghshire, to be called the barony of Lowstlaw, 18th February 1490-1. According to the donation to the monastery of Kelso, by his father, already recited, Sir Robert Ker died just before 6th November 1500. Pinkerton states, that Sir Robert Ker, a favourite of James IV., his chief-cupbearer, master of his artillery, and warden of the middle march, having been severe in the administration of the latter office, was, in 1511, slain by the bastard Heron, Lilburn, and Starked, three Englishmen. Andrew Ker, the son of Sir Robert, sent two of his adherents, who brought him the head of Starked, which was exposed in one of the most public places in Edinburgh. Here 1511 is evidently an erroneous date. Sir Robert Ker married, contract dated at Roxburghe 12th February 1484, Christian, daughter of James Rutherford of Rutherford, in security of the contract, forty merks of land of Auld Roxburghe, were delivered to James Ruther-

Mag. Sig. L. xii. No. 189.

Pinkerton, II. 71.

Penes D. Roxburghe.

* The preceding detail of the succession of the Kers of Littledean, is taken from the "Memorial," dated 14th May 1811, "for Major-General Walter Ker of "Littledean, defender, against Sir James Innes Ker, "baronet, pursuer, in the action of reduction, "brought at the instance of Sir James Innes Ker, "against General Ker," and the proofs therein referred to.

Roxburghe.

ford, who resigned them to Walter Ker of Cessfurd, 22d October 1486, the stipulations of the contract being then completed. They had two sons,

1. Sir *Andrew*.

2. *George* Ker of Fawdonside, who, 24th July 1526, had a gift under the privy-seal, to George Ker, brother to umquhile Andrew Ker of Cessfurd, of Andrew's ward lands, with the marriage of Walter Ker, son and heir to the said umquhile Andrew. He was father of Andrew Ker of Fawdonside, alive in 1573, (probably the same Sir Andrew Ker of Fawdonside, who married the Hon. Margaret Stewart, daughter of Andrew, second Lord Ochiltree, relict of John Knox the reformer,) father of George Ker of Fawdonside, alive in 1595, father of Sir Walter Ker of Fawdonside, who had entirely divested himself of his landed property before 1630, and in 1663 was heir male of the family of Cessfurd. Under the designation of Sir Walter Ker, sometime of Fawdonside, knight, now indweller in Newbottle, heir male and of tailzie to the deceased Robert, Earl of Roxburghe, and to the deceased Hary, Lord Ker, his son, and to the deceased William Ker of Cessfurd, father of the said deceased Robert Earl of Roxburghe, he executed, on the 11th February 1663, a deed ratifying and approving of the said Earl's nomination and tailzie, 1648, and disponing to William, Earl of Roxburghe, and his heirs of tailzie, the whole lands which belonged to Earl Robert, and stood destined to his heirs male, with the title and dignity of an Earl. Letters of inhibition, at the instance of William, Earl of Roxburghe, were raised against the said Sir Walter Ker, as heir male aforesaid, 17th February 1663; and the said Sir Walter, heir male and of tailzie aforesaid, executed, on the 1st January 1664, an assignation in favour of the said William, Earl of Roxburghe, and the heirs of tailzie, contained in Earl Robert's said deed of nomination and tailzie, 1648. His male line appears to have failed soon afterwards.

Privy-Seal, vi. 15.

Memorial for Major-General Ker, 20.

VIII. Sir ANDREW KER of Cessfurd, the eldest son, was served heir of his grandfather, 30th September 1511, being then of lawful age, and had a charter to himself and Agnes Crichton his wife, of the barony of Auld Roxburghe, 20th February 1508-9. He was one of those who signed the letter to the King of France about comprehending Scotland in his treaty with England, 15th May 1515. Andrew Ker of Cesfurde, gardianus mediarium marchiarum, was one of the commissioners appointed to treat with the English, 22d January 1520-1. He was in the royal army under the command of the Earl of Angus, in the engagement with a body of men under his brother-in-law, Sir Walter Scott of Buccleuch, assembled to release King James V. out of the hands of the Douglasses, at Melrose, 18th July 1526, and was killed in that battle. His death was regretted by both parties, and occasioned a deadly feud bewixt the Scotts and the Kers, which cost much blood on the marches. He married Agnes, daughter of Robert, second Lord Crichton of Sanquhar, by whom he had issue,

Roxburghe.

Foedera, XIII. 309, 735.

Pinkerton, II. 278.

1. Sir *Walter*.

2. *Mark* Ker, commendator of Newbottle, father of Mark, first Earl of Lothian, already mentioned under the title Marquis of Lothian. The Hon. Sir Mark Ker of Mauldislie, knight, was, on the 8th of October 1651, served heir male of Hary, Lord Ker of Roxburghe, *unici filii Roberti Comitis de Roxburghe qui ultimo obiit, qui fuit filius Willielmi Ker de Cessfurd, qui Willielmus fuit frater germanus immediate senior Marci commendatarii monasterii de Newbotle, qui Marcus fuit pater Marci Comitis de Lotheane, Domini Newbotle, patris dicti Domini Marci Ker de Mauldislie, nepotis fratris avi.* He was dead, and the male line of Mark, commendator of Newbottle, was extinct, before 1663, when Sir Walter Ker of Fawdonside was heir male of the family of Cessfurd.

Inq. Ret. xx. 190. William appears a mistake for Walter.

3. *Andrew*, who does not appear to have left any male descendants.

1. *Catherine*, married to Sir *John* Ker of Fernihirst.

2. *Margaret*, married to Sir John Home of Coldingknows. She had a charter from him, in her virginity, to Margaret Ker, daughter of Andrew Ker of Cessfurd, 2d November 1524.

Mag. Sig. L. xxvi. No. 40.

Retour penes D. Roxburghe.

Mag. Sig. L. v. No. 83.

IX. Sir WALTER KER of Cessfurd, the eldest son, was served heir of his father, 12th May 1528, had three charters of Ca-

Penes D. Roxburghe. Mag. Sig. L. xxviii. No. 342, 428.

Roxburghe.

vertoun, Cessfurd, Auld Roxburghe, Auldtounburn, Huntleisland, and Prymsyde, dated 23d April and 21st September 1542, to him and the heirs male of his body; remainder to Mark and Andrew Ker, his brothers, George Ker of Fawdonside, Mark Ker of Dolphingtoun, Gilbert Ker of Prymsydeloch, James Ker of Mersington, George Ker of Lintoun, Lancelot Ker of Gaitschaw, and the heirs male of their bodies respectively; which failing, to the nearest heirs male of Walter, bearing the name and arms of Ker. He had a charter to him and Isobel Ker his wife, of the barony of Cessfurd, 1543; a letter of remission under the great seal to him and John Kerr of Fernihirst, for being art and part in the treasonable and cruel murder of Sir Walter Scott of Branxholm, committed in October 1552; and charters of lands in Roxburghe, belonging to the friars minorites, 18th December 1564; of lands in Newbottle, 6th November 1570; and of Halyden and Huntlewood, to him and Isobel Ker his wife, 23d January 1570-1. He was one of the commissioners of Francis and Mary, to treat with the English, 28th August 1559; promoted the reformation; entered into the association in support of King James VI., 1567, and died in 1584 or 1585. He married Isabel, daughter of Sir Andrew Kerr of Fernihirst, and by her had issue,

Mag. Sig. L. xxix. No. 301. L. xxxii. No. 13, 28, 55, 215.

Sadler, I. 408.

1. *Andrew*, who, 12th March 1553, on his father's resignation, had three charters under the great seal, of Cessfurd, Auld Roxburghe, &c. to Andrew Ker, son and heir apparent of Sir Walter Ker of Cessfurd, knight, and the heirs male of his body; remainder to the heirs male of the body of the said Sir Walter Ker, lawfully procreated or to be procreated, Mark and Andrew Kers, brother of Walter, Andrew Ker of Fawdonside, Andrew Ker of Hirsell, knight, Gilbert Ker of Prymsideloch, James Ker of Mersingtoun, George Ker of Lintoun, and George Ker of Gaitschaw, and the heirs male of their bodies respectively; which failing, to the nearest heirs male of Andrew of the name of Ker, and carrying the arms of the house of Cessfurd, reserving her terce to Isabel, wife of Walter. He died before his father without issue.

Mag. Sig. L. xxxi. No. 238, 239, 240.

2. *William.*

1. *Agnes*, married to John Edmonstone of Edmonstone, who, 8th December 1558, granted a charter of Edham, to Agnes, daughter of Walter Ker of Cessfurd, knight, in her virginity.

Roxburghe.

Mag. Sig. L. xxxii. No. 248.

2. *Margaret*, married to Alexander, first Earl of Home.

X. WILLIAM KER of Cessfurd, the only surviving son, was warden of the middle march, had charters to him and Mark Ker his second son, of the barony of Ormistoun, 16th August 1587, and of Ormistoun and Maxtoun, 24th January 1591-2; he also had a charter of the barony of Erneheuch, 20th July 1595, and he died in February 1600. He married Janet, daughter of Sir William Douglas of Drumlanrig, relict of James Tweedie of Drumelzier, by whom he had issue,

L. xxxvi. No. 418. L. xxxviii. No. 175. L. xli. No. 6.

1. Sir *Robert.*

2. Sir *Mark* Ker of Ormistoun, who died without issue in September 1603. His brother Robert, Lord Roxburghe, was, 24th April 1606, served heir of him in the barony of Ormistoun.

Inq. Ret. iii. 225.

1. *Mary*, married to Walter, Lord Scott of Buccleuch, and had issue.

2. *Margaret*, married to Sir James Bellenden of Broughton, and was mother of the first Lord Bellenden.

XI. Sir ROBERT KER of Cessfurd, the eldest son, born about 1570, had charters of the barony of Cessfurd, Auld Roxburghe, Auldtounburn, &c. Roberto Ker, filio et hæredi apparenti Willielmi Ker, junioris de Cessfurd, mediorum terminorum regni nostri guardiani, and the heirs male of his body lawfully to be procreated; remainder to the heirs male of the bodies of William and Sir Walter, his father and grandfather, then to Mark Ker, commendator of Newbotile, brother of Sir Walter, Andrew Ker of Fawdonside, Walter Ker of Hirsell, Gilbert Ker of Primsideloch, Thomas Ker of Mersington, George Ker of Lintoun, —— Ker of Gaitschaw, and the heirs male of their bodies respectively; all which failing, to the nearest heirs male of William, bearing the name of Ker and the arms of Cessfurd, dated 22d March 1573, reserving their terce to Isobel Ker, wife of Walter, and Jonet Douglas, wife of

Mag. Sig. L. xxxi. No. 65, 67.

Roxburghe.

Scotstarvet, 112.

William. His first public appearance was in 1585, when he joined the army of the banished lords to drive the Earl of Arran from the council of James VI., which they happily effected. He was engaged in the murder of William Ker of Ancrum 1590, for which a remission under the great seal was granted, Domino Roberto Ker, apparenti de Cessfurd, and nine others, 18th November 1591. Sir Robert Cary in his memoirs, characterises Sir Robert Ker, his opposite warden, as a brave active young man, and mentions several interesting particulars of the emulation betwixt them. The disputes on the borders being settled by commissioners from both nations, in December 1596, by which it was agreed that the prisoners on both sides should be given up, Sir Rober Ker was one of those who failed doing so, and therefore surrendered himself, in 1597, to Sir Robert Cary, who courteously entertained him for some time, and then by order of the Queen delivered him to the Archbishop of York, who wrote to the treasurer, "I understand "that the gentleman is wise and valiant, "but somewhat haughty and resolute." He was soon released, and was created a peer by the title of Lord Roxburghe, but the date of the creation does not appear; in the ranking of the nobility, 1606, he is placed before Lord Lindores, so created 31st March 1600. Robert, Lord Roxburghe, had charters of Halyden, &c. 3d August 1602, and of the town of Kelso and barony of Sproustoun on the 5th of the same month. He accompanied King James VI. into England on his accession 1603, and was one of the commissioners for an union with England, appointed by parliament 11th July 1604. He was served heir of William Ker of Cessfurd his father, in his lands in the counties of Berwick, Haddington, Roxburgh, and Selkirk, 24th April 1606, and of Sir Walter Ker of Cessfurd, his grandfather, 3d September 1629. He had charters of the lands of Cessfurdmains, 30th April 1606; of the lordship of Halyden, 20th December 1607; of the dominical lands of Ancrum, 30th November 1613; and of Auld Roxburghe, Cavertoun, &c. to him and Lady Jean Drummond his wife, 29th January 1614. He was created Earl of Roxburghe, Lord Ker of Cessfurd and Cavertoun, to him and his heirs male, 18th September 1616. A great number of charters under the great seal were granted to Robert, Earl of Roxburghe, particularly of the royal burgh of Canongate united into the barony of Broughtoun, 15th August 1630*. He was appointed keeper of the privy-seal in 1637, confirmed to him by parliament 1641. On the breaking out of the civil war, 1639, he joined the King; the pacification of Berwick taking place that year, he returned home. In 1643, he was one of the lords accused of writing a letter from Derby to the Queen, informing her Majesty of the design of the Scots to take arms against the King; but this was passed over. He made a resignation of his estates and titles into the hands of the crown by procuratory, dated 17th July 1643, for new investiture, to be granted to himself and the heirs male of his body; which failing, to his heirs and assigns in his option, to be made and constituted by him at any time in his lifetime, or before his decease, by assignation, designation, or declaration under his hand. He executed a nomination of the heirs he meant to succeed to him, at Cessfurd, 22d March 1644, by which, under certain conditions, he nominated his grandson Sir William Drummond, youngest son of John, second Earl of Perth, and the heirs male of his body; which failing, the second, third, and fourth sons of John, Lord Fleming, and Jean Drummond his wife, grand-daughter of the Earl, in their order, and the heirs male of their respective bodies, to be the persons who should succeed to him. One of these conditions was the marriage of Sir William

Roxburghe.

Case of Sir James Innes Ker, baronet, claiming the titles of Duke of Roxburghe, &c.

Mag. Sig. L. xxxviii. No. 246.

Cary's Memoirs, 67.

Mag. Sig. L. xliv. No. 16, 17.

Acts of Parl.

Inq. Ret. iii. 226. viii. 220.

Mag. Sig. L. xliv. No. 238. L. xlv. No. 221. L. xlvii. No. 213, 214.

* Charters of the tenandry of Pincartoun, to Robert, Earl of Roxburghe, Lady Jean Drummond, his wife, and Henry, Lord Ker, their son, 19th August 1618; of Bornslie, Pincartoun, to the Earl and his wife, 23d March 1620; of the barony of Fleuderleith, 23d August 1620; of Dischefiat, 15th August 1630; of Oswaldene, 19th March 1632; of Makcairstoun, 17th March 1633; of Maxwellheuche, 21st June 1634; of the barony of Brochtoun, 7th May 1634; of the lordship of Hassyndean, to him and Henry, Lord Ker, his son, 18th November 1634; of the barony of Sproustoun to them, 8th August 1635; of the barony of Broundoun to them, 26th September 1635; of Laungislands, in Cavertoun, 17th December 1638, and of the barony of Broxfield, 29th January 1642.

Roxburghe.

Drummond, or the other heirs, to Lady Jean Ker, eldest daughter of his son Hary, Lord Ker, or failing her, her younger sisters in their order. This nomination being defective, the Earl of Roxburghe, on the 31st of July 1646, obtained a new charter of his dignities and estates, under the great seal, proceeding on the before-mentioned procuratory of 1643, and containing a clause of novodamus, to him and the heirs male of his body; which failing, to his heirs and assigns whatsoever, in his option, to be designed, nominated, made, and constituted by him at any time of his life, or before his decease, by assignation, designation, nomination, or declaration under his subscription. In consequence of this charter, the Earl, on the 23d of February 1648, executed a new deed of nomination, designation, and tailzie, calling to the succession, in the first place, Sir William Drummond, youngest son of John, Earl of Perth; then Robert Fleming, younger son of John Lord Fleming and Jean Drummond; and, lastly, their third and fourth sons; under this express condition, that Sir William Drummond, or the heir for the time, should marry Lady Jean Ker, eldest daughter of Hary, Lord Ker, and failing of her, Lady Anna, Lady Margaret, and Lady Sophia Kers, the second, third, and fourth daughters of Hary, Lord Ker; all which failing, by decease, or by not observing the provisions, restrictions, and conditions above written, the right of the said estate shall pertain and belong "to the eldest "dochter of the sd. umql. Hary Lord "Ker without divisioun, and yr aires maill, "she alwayes mareing or being mareid to "ane gentilman of honourl and laull de- "scent, wha sall perform the conditiounes "above and under wrn; qlkis all failzeing "and yr sds aires maill, to our narrest and "laull aires maill qtsomever." This charter was ratified by act of parliament, 10th June 1648. The Earl of Roxburghe was deprived of his office of privy-seal, in consequence of his supporting the engagement for the rescue of Charles I., by parliament 13th February 1649, and he died 18th January 1650.

Rescinded Acts.

Inq. Ret. in Pub. Arch.

His Lordship married, first, Margaret, only daughter of Sir William Maitland of Leithingtoun, in the county of Haddington. She had a charter of the barony of Cessfurd, 8th April 1588, and they had four children,

Roxburghe. Mag. Sig. L. xxxvi. No. 21. Crawf. Hist. Univ. Edin. 72.

William, Lord Ker, who was in the twenty-second class of the university of Edinburgh, graduated 28th July 1610, acting with the rest in the trials and disputations, being then designed Master of Roxburghe. He had a charter to William, Master of Roxburghe, of the lordship of Halyden, 12th June 1614. He was a young nobleman of an excellent spirit, and died on his travels in France before 19th August 1618, when his brother is stiled Hary, Lord Ker, in a charter. Domina Maria Ker, Domina Carnegy, Domina Isobella Ker, Domina Duddope, and James, Lord Drummond, eldest legitimate son of Jean, Countess of Perth, were, on the 17th of April 1634, served heirs portioners of William, Master of Roxburghe, the brother of the two former, and uncle, ex parte matris, of the latter, in lands in the counties of Berwick, Dumfries, Lanark, Peebles, and Roxburghe.

Mag. Sig. L. xlvii. No. 406.

Inq. Ret. xiii. 162, 166.

1. Lady *Jean, married to* John, second Earl of Perth, and had issue: Henry, Lord Drummond, who died without issue; James, third Earl of Perth, ancestor of the Earls of Perth and Melfort, and Lord Perth; Hon. Robert Drummond, who died without issue; Hon. Sir John Drummond of Logiealmond, ancestor of the *Right Honourable* Sir William Drummond of Logiealmond, who presented a petition to his Majesty, claiming the title and dignity of Duke and Earl of Roxburghe, which was referred to the House of Lords, 13th July 1806; William, second Earl of Roxburghe; Lady Jane, married to John, third Earl of Wigton; and Lady Lillias, married to James, Earl of Tullibardine.

2. Lady *Isabel*, married to James (Scrimgeour) second Viscount of Dundee, killed at Marston Moor 1644, and had a son, John, created Earl of Dundee.

3. Lady *Mary*, married, first, to James Halyburton of Pitcur; secondly, to James, second Earl of Southesk, and was mother of the third Earl.

The Earl of Roxburghe married, secondly, Jeane, third daughter of Patrick, third Lord Drummond, sister of his son-in-law John, second Earl of Perth. She was a

Roxburghe.

lady of distinguished abilities, preferred before all to the office of governess of the children of King James VI., which she executed with applause and satisfaction *. She died in October 1643. Her funeral was appointed for the rendezvous of the royalists, who projected that opportunity of assembling to massacre the covenanters, but they found their numbers too inconsiderable for the attempt. They had one child,

Laing, I. 255.

Hary, Lord Ker.

The Earl of Roxburghe married, thirdly, Lady Isabel Douglas, fifth daughter of William, Earl of Morton, but had no issue by her, who took to her second husband James, second Marquis of Montrose, a man sixty years younger than the Earl of Roxburghe, and was mother of the third Marquis.

XII. HARY, Lord KER, the only surviving son, is first mentioned in a charter to Robert, Earl of Roxburghe, Lady Jean Drummond his wife, and Hary, Lord Ker, their son, of the tenandry of Pincartoun, 19th August 1618. He had a charter of the barony of Prymsyde, &c. 29th July 1625. He was with his father in the King's forces in 1639; but quitted the royal army, and joined the covenanters at Dunselaw, in sight of the King, which it was thought he would not have done without his father's connivance, he being such an awful man. He, however, entered into the association formed on behalf of Charles I. at Cumbernauld, in January 1641, and continued steady to the royal cause till his death in January 1643. He married Lady Margaret Hay, only daughter of William, tenth Earl of Errol, and by her, who married, secondly, John, sixth Earl of Cassillis, had four daughters,

Mag. Sig. I. xlix. No. 74. I. li. No. 49.

Guthrie's Memoirs, 90, 103, 126.

1. *Jean*, married to William, second Earl of Roxburghe.

2. *Anne*, married before 10th May 1662, when a charter was granted to her and her husband, to John, fourth Earl of Wigtoun, without male issue.

3. *Margaret*, married, in 1666, to Sir James Innes of Innes, baronet, and had issue.

4. *Sophia*, who died unmarried.

Roxburghe.

XIII. The Hon. Sir WILLIAM DRUMMOND, fourth son of John, second Earl of Perth, by Lady Jean Ker, eldest daughter of Robert, first Earl of Roxburghe, succeeded to the earldom of Roxburghe, and estates of the family, in consequence of his grandfather's destination, and was, on the second of May 1650, served heir of him in the same, being designed in the retour Willielmus Drummond, filius legitimus natu minimus Joannis, Comitis de Perth, nunc vero Willielmus, Comes de Roxburghe. He married, according to the conditions of the entail, his cousin-german Jean, eldest daughter of Hary, Lord Ker, the marriage contract being dated 17th May 1655. This William, second Earl of Roxburghe, in his younger years, was in the service of the states of Holland, where he had the command of a regiment, and acquired the reputation of a brave and gallant officer. On the breaking out of the civil war he returned to Scotland, and joined the royalists, for which a fine of L. 6000 Sterling was imposed on him by Cromwell's act of grace and pardon, 1654. He obtained, in 1661, a parliamentary confirmation of the deed of nomination executed in 1648 by the first Earl of Roxburghe; in 1663 procured a ratification of the same deed from Sir Walter Ker of Fawdonside, then the nearest male heir of the Cessfurd family, and died 2d July 1675. By Jean, Countess of Roxburghe, his wife, who, on the 29th of January 1655, was served heir of tailzie and provision but without division, of Hary, Lord Ker, her father, he had issue,

Inq. Ret. xx. 212. xxiii. 204.

Inq. Ret. xxiii. 204.

1. *Robert*, third Earl of Roxburghe.

2. Hon. *Hary* Ker, who died without issue.

3. Hon. *William* Ker, who was sheriff of Tweeddale, and died without issue 1684.

Fountainhall, I. 291.

4. *John*, Lord Bellenden.

Daughter, Lady *Jean*, third wife of Co-

* In the Gentleman's Magazine for February 1799, is a fac simile Jane Roxburghe, said therein to be the signature of Jane, Duchess (Countess) of Roxburghe, to a receipt, dated 10th May 1617, for L. 500, part of the sum of L. 3000 of his Majesty's free and princely gift to her, in consideration of long and faithful service done to the Queen, as one of the ladies of the bedchamber to her Majesty.

Roxburghe.

lin, third Earl of Balcarres, without surviving male issue.

XIV. ROBERT, third Earl of ROXBURGHE, the eldest son, was served heir male and of entail of his father in his extensive property in the counties of Aberdeen, Ayr, Berwick, Dumfries, Edinburgh, Haddington, Lanark, Linlithgow, Peebles, Roxburgh, Selkirk, and Stirling, 7th October 1675, and the same day heir male and of entail of Lady Jean Ker, Countess of Roxburghe, his mother. He was one of the privy-council of King Charles II. Coming down to Scotland with the Duke of York in the Gloucester frigate, he perished when that ship was lost near Yarmouth, 7th May 1682. He married Lady Margaret Hay, eldest daughter of John, first Marquis of Tweeddale, high-chancellor of Scotland; and by her, who surviving her husband no less than 71 years, died at Broomlands, near Kelso, on the 22d of January 1753, in the 96th year of her age, had three sons,

Inq. Ret. xxvii. 218, 237, 336, 337.

1. *Robert*, fourth Earl of Roxburghe.
2. *John*, fifth Earl of Roxburghe.
3. Hon. *William* Ker, a lieutenant-general in the army, and colonel of the 7th regiment of dragoons from 10th October 1709 to his death. He served with reputation under the Duke of Marlborough on the Continent, and at the battle of Sheriffmuir, 13th November 1715, received a wound in his thigh, and had his horse shot under him; was appointed groom of the bedchamber to George, Prince of Wales, 1714; chosen Member of Parliament for the town of Berwick, 1710; for the boroughs of Dysart, &c. 1715; for the boroughs of Aberdeen, &c. 1722, but found not duly elected; he was again chosen for Berwick on a vacancy 1726; promoted to the rank of lieutenant-general 1739, and died on the 7th of January 1741, unmarried.

XV. ROBERT, fourth Earl of ROXBURGHE, the eldest son, born about 1677, succeeded his father 1682; was served heir male and of entail of him in the earldom of Roxburghe, situated in twelve counties, and of his grandfather in the lands of Sproustoun in Roxburghshire, 5th June 1684; had a charter of resignation of the honours and estates, containing a clause of novodamus, 2d July 1687, to him and the heirs male of his body, legitimately to be procreated; which failing, to the heirs male and of entail mentioned in the infeftment and nomination of Robert, first Earl of Roxburghe, and in the infeftment of the earldom of Roxburghe to William, second Earl of Roxburghe. He died on his travels abroad, at Brussels, 19th June 1696, in his 19th year, unmarried. His brother and successor,

Ibid. xxxvi. 287.

Roxburghe. Case of Sir James Innes Ker.

XV. JOHN, fifth Earl of ROXBURGHE, was served heir male and of entail of him in the earldom of Roxburghe, 22d October 1696. "He made his first appearance in the world to the general "satisfaction of all men. He was a man "of good sense, improven by so much "reading and learning, that perhaps he "was the best accomplished young man "of quality in Europe, and had so charming a way of expressing his thoughts, "that he pleased even those against "whom he spoke." Such was the preface Lockhart of Carnwath felt himself constrained to give to his severe invectives against the Earl. According to another contemporary, his Lordship "is a "young gentleman of great learning and "virtue, knows all the antient languages "thoroughly, and speaks most of the mo"dern perfectly well; without pedantry; "is a fine gentleman, and lives up to his "quality; hath a good estate, is hand"some, brown complexioned, about twen"ty-five years old." The Earl of Roxburghe was appointed one of the secretaries of state in 1704, heartily promoted the union and the protestant succession, and was created, by patent, dated at Kensington, 25th April 1707, Duke of Roxburghe, Marquis of Beaumont and Cessford, Earl of Kelso, Viscount of Broxmouth, and Lord Ker of Cessford and Cavertoun, to him and the heirs male of his body; which failing, to the other heirs destined to succeed to the title and dignity of Earl of Roxburghe, by the former patents heretofore made and granted to his predecessors. His Grace was one of the sixteen representatives of the Scotish peerage, chosen by parliament 1707, and was rechosen in

Inq. Ret. xlvi. 243.

Lockhart, 107.

Macky, 191.

Roxburghe. 1708; again, in 1715 and 1722; was one of the lords of regency before the arrival of George I., by whom he was appointed keeper of the privy-seal of Scotland, 24th September 1714, also lord-lieutenant of the counties of Roxburgh and Selkirk, and he was sworn a privy-councillor at St James's, 31st October 1714. On the breaking out of the rebellion 1715, he came down to Scotland with the Duke of Argyll, under whom he served as a volunteer, behaving with great gallantry, at the battle of Sheriffmuir, 13th November 1715. His grace was constituted secretary of state for Scotland 1716; was one of the lords justices during the King's absence from England, 1716, 1720, 1723, and 1725; and was invested with the order of the Garter, 10th October 1722. He joined Lords Carteret and Cadogan in attempting to remove Sir Robert Walpole and Lord Townshend, for which he was dismissed from his place of secretary of state, 25th August 1725, the pretext being, that knowing his dismission had been recommended to the King by ministers, he encouraged the discontents in Scotland on account of the malt-tax in June 1725, and counteracted or delayed the orders of government issued from his office. At the coronation of King George II., his Grace officiated as deputy to the Countess of Errol, high constable of Scotland; and afterwards passed his days in retirement till his death, at Fleurs, 24th February 1741, and he was buried at Bowden.

His Grace married, 1st January 1708, Lady Mary Finch, only child of Daniel, Earl of Winchelsea and Nottingham, by his first wife Lady Essex Rich, second daughter and coheiress of Robert, third Earl of Warwick. The Duchess was first married to William (Savile) Marquis of Halifax, who died 31st August 1700, to whom she had two daughters, Lady Dorothy, married to Richard, second Earl of Burlington, and fourth Earl of Cork; and Lady Mary, married to Sackville, seventh Earl of Thanet; and dying on the 19th of September 1718, was buried, 5th October, in Westminster Abbey, leaving, by the Duke of Roxburghe, one son,

XVI. ROBERT, second Duke of ROXBURGHE, who, in early youth, was created a British peer, by the title of Earl and Baron Ker of Wakefield, in the county of York, 24th May 1722; succeeded his father 1741*, and died at Bath, 23d August 1755. His Grace married, 16th June 1739, his cousin Essex, eldest daughter of Sir Roger Mostyn of Mostyn, in Flintshire, baronet, M. P. by his wife, Lady Essex Finch, eldest daughter of Daniel, Earl of Winchelsea and Nottingham, by his second wife Anne, only daughter of Christopher, Viscount Hatton. By her Grace, who died at Beaumont Lodge, 7th December 1764, the Duke of Roxburghe had issue, Roxburghe.

1. *John*, third Duke of Roxburghe.

2. Lord *Robert* Ker, born 27th August 1747, appointed ensign in the first regiment of foot guards in 1764; major to the sixth, or Inniskillen dragoons in 1768; lieutenant-colonel to the same regiment, 23d July 1773; was an unsuccessful candidate for the county of Roxburgh 1780, and died at Newbury, in Berkshire, on the 20th of March 1781, in the 34th year of his age, unmarried.

1. Lady *Essex*, born 9th March 1742, died in infancy.

2. Lady *Essex*, born 25th January 1744.

3. Lady *Mary*, born 17th March 1746.

These ladies were two of the bridemaids to Queen Charlotte, on her nuptials in 1761, and are unmarried.

XVII. JOHN, third Duke of ROXBURGHE, the eldest son, born in Hanover Square, London, 23d April 1740; succeeded his father 1755; was remarkable for personal figure and mental accomplishments, and high in the estimation of King George III., by whom his Grace was appointed one of the lords of the bedchamber 1767, and groom of the stole, 30th November 1796, when he was sworn a privy-councillor. His Grace was invested with the order of the Thistle, 28th November 1768; and was also honoured with the Garter, 3d June 1801, being allowed to keep both orders, a mark of royal favour conferred on no other sub-

* Under the act abolishing heritable jurisdictions 1747, his Grace got for the bailiaries of the regality of Kelso, L.1300; of Sprouston, &c. L.300; of Ancrum, &c. L.500; in all L.2100, in full of his claim of L.4000.

Roxburghe. ject in Britain since 1712, when James, Duke of Hamilton and Brandon, had the same distinction from Queen Anne. His Grace died of an inflammation of the liver, after a lingering illness of some weeks, at his house in St James's Square, London, on the 19th of March 1804, at eleven o'clock forenoon, in the 64th year of his age, unmarried*, and was buried at Bowden. The British titles of Earl and Baron Ker of Wakefield, became extinct; his Scotish honours and entailed estates devolved on William, seventh Lord Bellenden; his other property, to the amount of about L.120,000, went, after deduction of some legacies and annuities, in virtue of a settlement executed by his Grace at two o'clock in the morning of the day he died, to his sisters in liferent; and in fee, one-half to the Rev. Charles Baillie, second son of the Hon. George Baillie of Jerviswood; one-fourth to Sir John Scott of Ancrum, baronet; and the remaining fourth to Sir Henry Hay Macdougal of Makerstoun, baronet. A reduction of this settlement being brought by his Grace's sisters, on the heads of incapacity and deathbed, a proof was led, Mr James Dundas, W. S., who wrote the deed, renouncing a legacy of L.1000, thereby given to him, to enable him to be examined as a competent witness, in order to do justice to all parties. The Court of Session sustained the settlement, except in so far as regarded a part of the landed property thereby conveyed; and the decision of that Court was, on an appeal, confirmed by the House of Lords. His Grace was a great collector of books, and formed one of the most valuable private libraries in Britain, at his house in St James's Square †. The Rev. William Beloe describes those that had more particularly attracted his attention among the many very rare and curious articles of literature in the Roxburghe collection, in "Anecdotes of Literature and Scarce "Books," Vol. II. p. 205. to 235. We now return to Roxburghe.

* In the papers of the day, it was stated that an attachment had been formed betwixt his Grace, when on his travels, and Christiana Sophia Albertina, (born 6th December 1735), eldest daughter of the Duke of Mecklenburg Strelitz, and that their nuptials would have taken place, had not her sister Charlotte, just at that time, been espoused to King George III. Etiquette then interfered, it being deemed not proper that the elder should be a subject of the younger sister; but both parties evinced the strength of their attachment, by devoting their after lives to celibacy.

† See Chalmers's Caledonia, I. 859, n. for a curious fact respecting the Black Acts of the five James's and Mary, "ascertained by the late lamented Duke of Roxburghe, by collating the several editions of these "acts."

XIV. JOHN, Lord BELLENDEN, fourth son of William, second Earl of Roxburghe, who succeeded to the title, property, and office of his cousin William, Lord Bellenden, in virtue of a disposition executed by him, 14th April 1671, and was served heir of entail and provision of him, 23d December 1671. A charter passed the great seal, 12th December 1673, reciting, that the office of usher and door-keeper of exchequer had been ratified and granted of new to William, late Lord Bellenden, his heirs and assigns whatsoever, by charter of 1st June 1663, and that the said William, late Lord Bellenden, by letters of disposition, dated 14th April 1671, pro causis inibi specificatis sub provisionibus et conditionibus omni modo content. in nominatione per eum, in favorem Joannis Ker, filii natu minimi Willielmi, Comitis de Roxburgh, &c. nunc Joannis Bellenden, Domini Bellenden de Brughtoun, ejusque hæredum talliæ, fore hæredes talliæ dicti quondam Gulielmi, Domini Bellenden, et in ejus titulo et dignitate Domini Bellenden, et in ejus terris et statu inibi mentionat. illi succedere, prout expresse inibi dispositæ sunt dicto Joanni Ker, nunc Joanni, Domino Bellenden, ejusque hæredibus talliæ prædict. præfat. quondam Willielmum, Dominum Bellenden, ejusque hereditarium officium ostiarii, &c. therefore ratifying and confirming the same. His Lordship's finances appear not to have been in a very flourishing state, from a letter of the Duke of Queensberry to Mr Carstares, of date 31st July 1700, "I must entreat "of you to speak to the King in favour of "my Lord Ballantyne; he has continued "very firm to his Majesty's interest, though "there has been great pains taken to make "him otherwise. He has a numerous fa-"mily, and not much to support it; and "because I knew he was a little straiten-"ed, I have given him L.100, for which I "desire a warrant payable to me." Lord

Inq. Ret. xxxi. 367.

Mag. Sig. L. lxiv. No. 208.

Carstares's State Papers.

Roxburghe. Bellenden died in March 1707. His Lordship married Lady Mary Moore, second daughter of Henry, first Earl of Drogheda, relict of William, third Earl of Dalhousie, who died in 1682. She took to her third husband Samuel Collins, M. D. who died in April 1710; and she survived till 17th March 1725, having had issue by Lord Bellenden,

1. *John*, third Lord Bellenden.

2. Hon. *Robert* Bellenden, born 5th March 1689, who died without issue.

3. Hon. *William* Bellenden.

4. Hon. *James* Bellenden, a captain in the army. He had a son, James Bellenden of Bigods in Essex, lieutenant in the 21st regiment of foot, wounded at Fontenoy 1745, afterwards a captain in the same regiment, who died unmarried, just before 28th January 1763, when his will was proved; and three daughters, Elisabeth, married to Edward Kelley of Dublin; Jemima; and Mary, married to Sir Richard Murray, baronet.

Additional Case of Sir James Innes Ker.

5. Hon. Sir *Henry* Bellenden, one of the esquires to Prince William, Duke of Cumberland, when installed knight of the Bath, 1724; appointed governor of Hurst Castle, 30th July 1745; and gentleman-usher of the black rod, September 1747. At a chapter of the Garter, at Kensington, 22d June 1749, when the eldest son of the Prince of Wales, now his Majesty King George III., was invested with that order, the king-at-arms acquainted the Sovereign that the Hon. Henry Bellenden attended without the door, and most humbly beseeched his Majesty to be admitted to take the oath of office as gentleman-usher of the black rod of that order; he was accordingly introduced in his mantle, and took the oath enjoined by the statutes. King George II. having put the gold chain with the jewel about his neck, was pleased to confer on him the honour of knighthood, and he kissed his Majesty's hand thereupon. He died without issue, at London, 7th April 1761. Horace Walpole wrote to General Conway 10th April, "Poor Sir "Harry Bellenden is dead; he made a "great dinner at Almack's for the house of "Drummond, drank very hard, caught a "violent fever, and died in a few days."

Daughter, Hon. *Mary* Bellenden, one of the maids of honour of Caroline, Princess of Wales, by whom she was highly favoured; and she was universally considered as an accomplished pattern of good sense and exemplary conduct. In her time, according to Lord Orford, the apartment of the bedchamber women in waiting became the fashionable evening rendezvous of the most distinguished wits and beauties. "Above "all, for universal admiration, was Miss "Bellenden, one of the maids of honour. "Her face and person were charming, live-"ly she was, almost to etourderie, and so "agreeable she was, that I never heard her "mentioned afterwards by any of her con-"temporaries, who did not prefer her as the "most perfect creature they ever knew." She rejected with scorn the amorous advances of the Prince of Wales (George II.); married, in 1720, Colonel John Campbell, one of the grooms of his bedchamber, afterwards fourth Duke of Argyll, was mother of the fifth Duke of Argyll and other children, had the appointment of keeper of Somerset House, and died 13th December 1736. Roxburghe. Orford's Works, IV. 300.

XV. JOHN, third Lord BELLENDEN, the eldest son, succeeded his father 1707, was served heir of him, 16th July 1709; and dying at his seat in Hertfordshire, 16th March 1740, æta. 55, was buried in Westmill, in that county. His widow, Mary Lady Bellenden, died at Westmill, 23d November 1792, aged 91. They had issue, Additional Case of Sir James Innes Ker.

1. *Ker*, fourth Lord Bellenden.

2. *Robert*, sixth Lord Bellenden.

1. Hon. *Jane* Bellenden, married, 8th January 1741, to Ephraim Miller of Hertingfordbury.

2. Hon. *Caroline* Bellenden, married 18th March 1760, to John Gawler of Ramridge, in Hampshire, and of the Inner Temple, who died at Bath, 24th December 1803, æta. 77. She died 1st April 1802, leaving two sons: 1. John Bellenden Gawler of Bishopsgate, in Surry, appointed captain of a troop in the second regiment of life-guards, 20th January 1790, and was senior captain in the same when he quitted the army 1793. The London Gazette of 13th November 1804, notified, that the King, on the 5th of that month, had been pleased to grant unto John Bellenden Gawler of Bishopsgate, in Surry, eldest son of John

Roxburghe. Gawler, late of Ramridge, in Hampshire, deceased, by Caroline, his wife, also deceased, who was eldest surviving daughter of John, third Lord Bellenden, and coheir in blood to her brother Robert, sixth Lord Bellenden, his royal licence that he and his issue may take the surname of Ker Bellenden, and that he may henceforth be called John Bellenden Ker Bellenden, out of affectionate respect towards the family of his said late mother, and with the consent, and at the instance of his noble relation, William, Lord Bellenden, now Duke and Earl of Roxburghe. 2. Henry Gawler of Lincoln's-Inn.

3. Hon. *Diana* Bellenden, married to John Bulteel of Membland, in Devonshire, and had John Bulteel, her eldest son, and other children.

4. Hon. *Mary* Bellenden, married to John Earl of Cambridge, whom she survived, and died at Egham, 15th May 1805, aged 80.

5. Hon. *Alice* Bellenden, who died unmarried at Westmill, 19th October 1796.

6. Hon. *Henrietta* Bellenden, died unmarried.

Additional Case of Sir James Innes Ker.

XVI. Ker, fourth Lord Bellenden, the eldest son, baptised at Walkerne in Hertfordshire, 11th December 1725; succeeded his father 1740; was an officer in the royal navy, and dying 23d May 1754, æta. 29, was buried at Westmill, in the same county, where is a monument to the memory of his Lordship and his father. It appears that he was twice married; first, in 1744, to a daughter of Richard Brett, clerk of the checque in Deptford dock-yard; secondly, in 1750, to Elisabeth, daughter of George Campbell, storekeeper at Woolwich; and by her, who died at Fareham, in Hampshire, 21st January 1798, æta. 71, had an only child,

Ibid.

XVII. John Ker, fifth Lord Bellenden, born at Woolwich, 22d August 1751, succeeded his father, 1754; and had a grant from King George II., 23d April 1755, of a salary of L.250 per annum, as usher of exchequer, during pleasure, confirmed by King George III., 4th April 1761. He got an ensign's commission in the 25th regiment of foot in 1775, but soon quitted the army; and married, at Leith, 26th June 1787, Mrs Sarah Cumming, a widow lady from Montego Bay, Jamaica. By her, who died at London, 21st November 1794, he had no issue; and dying in a state of insolvency at Edinburgh, 20th October 1796, in the 46th year of his age, the office of usher of the exchequer, with a perpetual salary of L.11. 2s. 2d, and the power of appointing deputies, was sequestrated by his creditors, and sold under the authority of the Court of Session. Roxburghe.

Additional Case of Sir James Innes Ker.

XVI. Robert, sixth Lord Bellenden, his uncle and successor, baptised at Westmill, 23d August 1734, had a company in the 111th regiment of foot, 1761; it was reduced in 1763, and he had a company in the 68th regiment of foot 1767. He had a grant from the crown of L.250 as the salary of usher of exchequer, 8th February 1797; and dying unmarried, at Ramridge, in Hampshire, 14th October 1797, æta. 64, was buried at Westmill. The title then devolved on William Bellenden, son of

XV. The Hon. William Bellenden, third son of John, second Lord Bellenden. He was born about 1702, went into the army, had the commission of cornet 15th April 1703; rose to be lieutenant-colonel of the third regiment of horse, 3d April 1733; that regiment was reduced to dragoon guards in 1745; he was lieutenant-colonel thereof in 1747; in 1754, he was senior lieutenant-colonel in the army; and he died in 1759. He married, in April 1726, Ibid. Miss Jacomina Farmer of Normington in Lincolnshire, and by her had a son,

William, fourth duke of Roxburghe;—and a daughter,

Jacomina, married, 4th April 1749, to Thomas Orby Hunter of Waverly Abbey in Surry, M. P. one of the lords of admiralty and treasury, and was mother of George Orby Hunter, Esq.

XVI. William, fourth Duke of Roxburghe, the only son, born about 1728, had a company in the 25th regiment of foot, 1757; became seventh Lord Bellenden, on the death of his cousin 1797, and had a grant from the crown, 2d

Roxburghe. April 1798, of L. 250, as the salary of usher of exchequer. In 1804, in his 76th year, he succeeded to the dukedom of Roxburghe; was served heir of tailzie in special of John, third Duke of Roxburghe, in the family estates, and completed his investitures by infeftment. His Grace did not long enjoy that high dignity, dying at Fleurs on the 22d of October 1805, in the 77th year of his age, and was buried on the 31st of that month at Bowden. His Grace married, first, Margaret, daughter of ——— Burroughs, D. D. by whom he had three children,

1. *Henry Hunter* Bellenden.
2. *William* Bellenden.
3. *Margaret* Bellenden.

All of whom died in infancy; secondly, in June 1789, Mary, daughter of Benjamin Bechenoe, Esq. captain in the royal navy, (by his wife Susanna, sister of Sir John Smith of Sydling St Nicholas, in the county of Dorset, baronet, which Susanna died at the Duke of Roxburghe's, London, 30th November 1804, in her 66th year,) but had no issue by her Grace, who, in 1806, took to her second husband, John Manners, Esq. M. P. brother of Sir William Manners of Buckminster, in the county of Leicester, baronet, and nephew of the Earl of Dysart.

In his Grace the whole male line of William, second Earl of Roxburghe, failed. The title of Lord Bellenden, it is understood, became extinct; and a competition arose for the titles of Duke and Earl of Roxburghe, Marquis of Beaumont and Cessford, Earl of Kelso, Viscount of Broxmouth, and Lord Ker of Cessford and Cavertoun, between Lady Essex Ker as heir of line, Sir James Norcliffe Innes, afterwards designed Sir James Innes Ker, baronet, as heir male of the body of Margaret, daughter of Hary, Lord Ker, Major-General Walter Ker of Littledean, as heir male of the first Earl of Roxburghe, and the Right Honourable William Drummond of Logiealmond, as heir male of the second Earl of Roxburghe, each of whom presented a petition to the King, claiming these titles, referred by his Majesty to the House of Lords. A sequestration of the estates was ordered by the Court of Session, 7th December 1805. They were claimed respectively by Lady Essex Ker, Sir James Innes Ker, Major-General Ker of Littledean, and Mr Bellenden Ker Bellenden, in favour of which last, and other substitutes, the fourth Duke had executed an entail of his property; and, for greater security, had also granted feu dispositions, charged with annuities and legacies, of the whole Roxburghe estate, with the exception of the house of Fleurs, and about 47 acres adjoining to it, on payment of a feu-duty of L. 20,215 per annum, to Mr Bellenden Ker Bellenden, &c. declaring that these feu dispositions should be void, if his entail was sustained as effectual. The Court of Session set aside both the entail and the feu dispositions executed by the Duke, as beyond his power to grant; decided against the claim of Lady Essex Ker; and in the questions betwixt Sir James Innes Ker and Major-General Ker, preferred Sir James in the competition relative to the estates and honours of the family of Roxburghe, and dismissed the brieve at the instance of Major-General Ker. The whole decisions in favour of Sir James Innes Ker, were, on appeals, affirmed by the House of Lords, only the question relative to the validity of the feu dispositions is still in dependence there. The House, on the 11th May 1812, resolved and adjudged that the petitioner Sir James Norcliffe Innes Ker had made out his claim to the titles, honours and dignities of Duke and Earl of Roxburghe, mentioned in his petition *. Roxburghe.

James, fifth Duke of Roxburghe, derives his descent from

XIII. Margaret Ker, third daughter of Hary, Lord Ker, who was married to Sir James Innes of Innes, in the county

* It was the same day resolved and adjudged, that none of the persons claiming the barony of Roxburghe have established any title thereto, it being the opinion of this House, that as the said dignity might have been granted by letters patent to the grantee and a series of heirs, not so comprehensive as to carry the said dignity to such heirs as the claimants respectively represent themselves to be, it ought, according to law, to be presumed, that the same was not granted to such heirs, and it appears to this House, that the said dignity has not been in fact assumed or enjoyed since the death of Robert, Baron of Roxburghe without heirs male of his body.

Roxburghe.

of Elgin, baronet, eldest son of Sir Robert Innes of Innes, baronet, by Jean, daughter of James, sixth Lord Ross of Halkhead. The contract of marriage, to which her brother-in-law William, second Earl of Roxburghe was a consenter, is dated 18th July 1666. The family of Innes of Innes is of great antiquity, a particular account of that house from Berowaldus Flandrensis, in the reign of Malcolm IV., to James, Duke of Roxburghe, is contained in Douglas's Baronage; and the Editor has been favoured by Mr Horne, W. S. agent for his Grace, with the perusal of a manuscript history of that family on vellum, by Duncan Forbes of Culloden, who married a daughter of Sir Robert Innes of Innes. He states that, in all the long course of their succession, they were fortunate in three things; "first, that their inheritance "never went to a woman; next, that none "of them ever married an ill wife; third- "ly, that no friend ever suffered for their "debt."

Dougl. Bar. 13. to 18.

Sir James Innes and Margaret Ker, who was dead before 25th February 1691, had four daughters, *Margaret*, married to Thomas Macdougal of Makerstoun, *Jean*, *Anna*, and *Elisabeth*, of whom one married Captain Innes in Ireland and the two other died unmarried; and three sons,

1. *Robert*, who died in France in the lifetime of his father, unmarried.

2. Sir *Hary* Innes of Innes.

3. *Hugh*, who died in Flanders, unmarried.

XIV. Sir HARY INNES of Innes, the eldest surviving son, was elected Member of Parliament for the county of Elgin in July 1704, and died 12th November 1721. He married (contract dated 3d and 8th September 1694,) Jean, daughter of Duncan Forbes of Culloden, and by her, besides several children who died infants, was father of

1. *Robert*, who died before his father, unmarried.

2. Sir *Hary* Innes of Innes.

3. *John* Innes of Inchbroom, an officer in the army, who died without issue at Elgin, 18th February 1777.

Daughter, *Anne*, married to Provost Stephen of Elgin, and died there, 9th July 1777.

XV. Sir HARY INNES of Innes, the eldest surviving son, was served heir male of his father, 29th June 1723, appointed inspector of seizures in Scotland in March 1748, and died in 1762. He married, contract dated 9th October 1727, Anne, second daughter of Sir James Grant of Grant, baronet, sister of Jean, Countess of Fife; and by her, who died at Elgin, 2d February 1771, had five daughters, *Anne*, *Jean*, *Margaret*, *Sophia*, and *Ludovica*, who died unmarried;—and three sons.

Roxburghe.

1. *Hary*, who died before his father, unmarried.

2. *James*, fifth Duke of Roxburghe.

3. *Robert*, a captain in the army, who died at Elgin, 9th August 1775, without issue.

XVI. JAMES, fifth Duke of ROXBURGHE, the eldest surviving son, born about 1738, was served heir of line and heir male and of provision of his father, 7th February 1764. He had a company in the 88th regiment of foot, 1759, and of the 58th regiment of foot, 1779. On the death of William, fourth Duke of Roxburghe, in 1805, he preferred his claim to the titles and estates; his right to them was established, as already mentioned, and, in May 1812, he was recognized as fifth Duke and ninth Earl of Roxburghe.

His Grace married, first, 19th April 1769, Mary, sister of Sir Cecil Wray, eldest daughter of Sir John Wray of Glentworth, in the county of Lincoln, baronet, by Frances, daughter of Fairfax Norcliffe of Langton, in the county of York. The estate of Langton being settled on Lady Innes, the King was pleased, 31st May 1769, to grant to Sir James Innes and his lady his royal license to take the name and arms of Norcliffe, pursuant to the will of Thomas Norcliffe of Langton, in the county of York. Lady Innes Norcliffe died without issue, 20th July 1807, when the Langton estate went to her nephew, Thomas Norcliffe Dalton, of the city of York, and Sir James Innes thereupon dropped the name of Norcliffe, and assumed that of Ker. His Grace married, secondly, at Kensington Church, 28th July 1807, Harriet, daughter of the late Benjamin Charlewood of Windlesham, esquire.

Roxburghe.

ARMS.—Quarterly: 1st and 4th, Vert, on a chevron, between three unicorns heads, erased, argent, horned and maned, Or, as many mullets, sable, for Ker. 2d and 3d, Gules, three mascles, Or, for Vipont.

CREST.—An unicorn's head, as in the coat.

SUPPORTERS.—Two savages, wreathed about the head and waist with laurel, each holding a baton over his shoulder, all proper.

Roxburghe.

MOTTO.—*Pro Christo et patria dulce periculum.*

CHIEF SEATS.—Fleurs, in the county of Roxburgh; Broxmouth, in the county of Haddington.

HAMILTON, EARL OF RUGLEN.

Ruglen.

I. LORD JOHN HAMILTON, fourth son of William and Anne, Duke and Duchess of Hamilton, baptised at Hamilton 26th January 1665, was created a peer of Scotland, by the titles of Earl of Ruglen, Viscount of Riccartoun, and Lord Hillhouse, by patent dated 14th April 1697, to him and the heirs male of his body; which failing, to the heirs whatsoever of his body; and he took the oaths and his seat in parliament, 19th July 1698. Although he held the office of master of the mint, he entered the lists of opposition at that critical period. The Earl of Argyll in consequence wrote to Mr Carstares, 8th August 1698, "Says Lord Montgomery to Lord Anstruther, I admire most "of you all who are opposers of the King's "affairs how E. Ruglen ventures, since I "know the love he has for his money, his "place is advantageous. Lord Anstruther "replied in a passion, What, do you think "the others have interest to turn them "out? No; they dare not propose it. And "to prove him a liar, pray do me the favour "to offer it in my name to E. Portland, "that it is for his Majesty's service, parti-"cularly, that E. Ruglen meet with such "treatment as he gave the King when we "asked for the supply, and when he is "kicked out, can any body say but it is "just? He refuses the King money, and "the King will let him have no more "of his money. This is but modest to "propose, it is stating his Majesty and "E. Ruglen but upon an equal foot as to "the resenting part. Some think that the "King will not venture to frown upon "the house of Hamilton, but I am not of "that mind, an example that way is worth "two, and if E. Ruglen be not made an "example of, all that can be done will sig-"nify nothing." In consequence of this spirited remonstrance, the Earl of Ruglen was deprived of the mastership of the mint, which was given to the Earl of Lauderdale. He had the barony of Riccartoun, in the county of Linlithgow, settled on him by his father and mother, made several purchases in Mid and West Lothian, particularly Barntoun, King's Cramond, Ilistoun, &c. On the death of his brother Charles, Earl of Selkirk in 1739, that title, and the barony of Crawford John in Lanarkshire devolved on him; but the barony of Riccartoun then went, in terms of the entail, to Lord Archibald Hamilton, his youngest brother. The Earl of Ruglen was thenceforward stiled Earl of Selkirk and Ruglen, and dying at Edinburgh on the 3d of December 1744, in the 80th year of his age, was buried at Cramond. He was succeeded in the title of Selkirk and barony of Crawford John, by his grand-nephew Dunbar Hamilton of Baldoon; and in the title of Ruglen, and his other extensive property, by his eldest daughter.

Ruglen.

Hamilton Register.

Robertson's Proceedings, 225.

Carstares's State Papers.

His Lordship married, first, contract dated 21st June 1694, his cousin-german,

Ruglen.

Lady Anne Kennedy, only daughter of John, seventh Earl of Cassillis, by his first wife, Lady Susan Hamilton, and by her had issue,

1. *William*, at first designed Lord Riccartoun, and after his father became Earl of Selkirk, Lord Daer, born 1696, had a captain's commission in the army, 6th May 1723; a troop in the first regiment of horse, 23d January 1734; and died unmarried at Edinburgh, 20th February 1742, in the 46th year of his age, of a fever occasioned by overheating himself dancing with Miss Blair, heiress of Kinfauns, afterwards Lady Gray.

2. *Anne*, Countess of Ruglen.

3. Lady *Susan*, born 1st November 1699, married 26th October 1738, to her cousin John, eighth Earl of Cassillis, and dying without issue at Barnton, 8th February 1763, in her 64th year, was buried in the abbey church of Holyroodhouse, being succeeded in her large personal property by her nephew the Earl of March.

The Earl of Selkirk and Ruglen married, secondly, at Edinburgh, 22d March 1701, Elisabeth Hutchinson, relict of John, Lord Kennedy, mother of John, eighth Earl of Cassillis. He had no issue by her, who had a jointure of L. 500 per annum out of the Cassillis estate, and died at Barnton, 10th March 1734.

Ruglen.

II. ANNE, Countess of RUGLEN, the eldest daughter, born 5th April 1698, married, first, William, second Earl of March, and by him, who died at Barnton, 7th March 1731, æta. 35, had an only child, William, Duke of Queensberry, Earl of March and Ruglen; secondly, in January 1747, Anthony Sawyer, Esq. paymaster of the forces in Scotland, without issue. On the death of her father in 1744, she succeeded as Countess of Ruglen, and died at York, on her way to London, 21st April 1748, in her 51st year, when the title of Ruglen devolved on her son,

Cramond Register.

III. WILLIAM, Earl of MARCH and RUGLEN, afterwards fourth Duke of QUEENSBERRY; who has been treated of under that title. On his death, in December 1810, without issue, the earldom of Ruglen became extinct.

RUTHERFORD, LORD RUTHERFORD.

Rutherford.

Crawf. Peer. 484.

ANDREW RUTHERFORD, only son of William Rutherford of Quarryholes, a cadet of the family of Hunthill, by Isabel, daughter of James Stewart of Traquair, was an officer in the French service, in which he rose to the rank of lieutenant-general, with great reputation for his knowledge in the art of war. He came over to England at the restoration, and having been particularly recommended to Charles II. by the French King, he was, 19th January 1661, created a peer of Scotland, by the title of Lord Rutherford, to him and the heirs male of his body, quibus deficientibus, quamcunque aliam personam seu personas quas sibi quoad vixerit, quietiam in articulo mortis, ad ei succedendum, ac fore ejus hæredes talliæ et provisionis in eadem dignitate, nominare et designare placuerit, secundum nominationem et designationem manu ejus subscribendam, subque provisionibus restrictionibus et conditionibus a dicto Andrea, pro ejus arbitrio, in dicta designatione experimendis. Soon afterwards he was made governor of Dunkirk, and managed that trust so much to the satisfaction of the British court, especially in the sale of that place to the French which he transacted, that, upon his coming to England, King Charles II., to express a due sense of his merit, and of his acceptable services,

Mag. Sig. L. ix. No. 14. Robertson's Proceedings, 228.

Rutherford.

Rutherford.

created him Earl of Teviot, by patent dated 2d February 1663, with limitation to the heirs male of his body. He was constituted colonel of the second, or Tangier regiment of foot, 6th April 1663, and was the same year appointed governor of Tangier, where he was killed in a sally against the Moors, 4th May 1664. By his last will, he ordered eight chambers to be built in the college of Edinburgh, where he was educated, which was accordingly done, and the following inscription put thereon, Musæa hæc quatergemina, academiæ hujus alumnus, Andreas Rutherfordiæ regulus, Teviotiæ Comes, Tangiræ præfectus, belli pacisque artibus domi forisque clarus, testamento extrui jussit.

Monteath's Theater of Mortality, II. 15.

His Lordship executed at Portsmouth, 23d December 1663, a general settlement of his estate and dignity in the following terms: I nominate and appoint Sir Thomas Rutherford of Hunthill my heir to succeed in my whole estate and dignity of Lord Rutherford, according to the power given me by his Majesty's patent under the great seal, whom, by these presents, I nominate my executor and universal legator, and intromitter with my goods and gear whatsoever. After some directions with respect to his executry, and the payment of his debts, he goes on, Providing always, and it is hereby specially my will, that the said estate and lands, or if in monies, to be employed in lands, left hereby by me to the said Sir Thomas Rutherford, shall still remain to the eldest son of the said Sir Thomas; and failing thereof, to the nearest heirs male of the said Sir Thomas; which failing, to the eldest daughter of the said Sir Thomas, providing always that he, to whom she shall be married, be obliged to take the name of Rutherford, and so continue from time to time.

Robertson's Proceedings, 259.

The Earl of Teviot dying without issue, the earldom became extinct; but the title of Lord Rutherford devolved, in virtue of the above settlement, on

Sir Thomas Rutherford of Hunthill, who was, on the 16th of March 1665, served heir of entail and provision of his Lordship in his title and dignity, in the lands and barony of Newlandis, in the lands and barony of Lintoun, with the pendicles called Kirkurd and Lochurd, burgh of barony of Lintoun, &c. in the county of Peebles; and he was in consequence second Lord Rutherford. A charter was granted of the lands of Scraesburgh, in Roxburghshire, Thomæ, Domino Rutherford, 8th July 1666, and he died without issue in April 1668. His Lordship married Christian, daughter of Sir Alexander Urquhart of Cromarty. A charter was granted to Cbsistian Urquhart, relict of Thomas, Lord Rutherford, of an annualrent out of the lands of Nether Chatto, 5th August 1668. She married, secondly, James, second Viscount of Frendraught; thirdly, Alexander Morison of Bognie.

Inq. Ret. xxvii 321.

Rutherford.

Mag. Sig. L. lxi. No. 298.

Doug. Bar. 162.

Mag. Sig. L. lxii. No. 63.

Archibald, third Lord Rutherford, was served heir male of Thomas, second Lord Rutherford, his brother-german, in the lands and baronies of Newlandis and Lintoun, in the county of Peebles, in the barony of Scairsburgh, alias Hunthill, and the lands of Nether Chatto, Caiphope, &c. in Roxburghshire, 8th February 1670. He sat in parliament as a peer; and dying without issue male in 1685, was succeeded by his brother,

Inq. Ret. xxix. 318.

Robert, fourth Lord Rutherford, who was served heir male of Archibald, Lord Rutherford, his brother-german, in the barony of Hunthill, lands of Nether Chatto, &c. in Roxburghshire, 4th June 1685, sat as a peer in parliament 1698, and after the union, voted for representatives of the Scotish peerage down to 1715. He died without issue 1724.

Ibid. xxxviii. 68.

Andrew, Earl of Teviot, had a sister, Christian, married to Robert Durie of Grange, in Fife. On the 9th of September 1671, there was served Magister Archibaldus Wilkie, aliquando portionarius de Lintoune, nunc incola in vico canonicorum propè burgum de Edinburghe, hæres portionarius lineæ Andreæ Comitis de Teviott, Domini Rutherfurd, avunculi; et Joannes Durie de Grange, filius quondam Willielmi Durie de Grange, hæres portionarius lineæ Andreæ, Comitis de Teviott, Domini Rutherfurd, fratris aviæ ex parte patris, both in general, and in special, in the baronies of Newlandis and Lintoune, in the county of Peebles. George Durie of Grange, grandnephew of the Earl of Teviot, voted, without objection, as Lord Rutherford, at the election of a representative peer 1733. He

Ibid. xxx. 222.

Rutherford.

also voted at the general election 1734, when his vote was protested against by the procurator of Captain John Rutherford. The same took place at elections 1736, 1737, and 1738. At an election 1739, was produced the retour of Captain John Rutherford, dated 6th September 1737, bearing, quod quondam Robertus Rutherford, ultimus Dominus Rutherford, filius fuit Joannis Rutherford, qui fuit filius Thomæ Rutherford, qui fuit filius legitimus natu maximus Joannis Rutherford de Hunthill, communiter vocat. the Cock, nepos fratris proavi Capitani Joannis Rutherford, latoris præsentium, qui fuit filius Joannis Rutherford de Kirkraw, qui fuit filius Joannis Rutherford de Kirkhope, qui fuit filius Ricardi Rutherford de Littleheugh, fratris germani dicti quondam Thomæ Rutherford, filii dicti quondam Joannis Rutherford de Hunthill, &c. et quod Capitanus Joannis Rutherford, est legitimus et propinquior hæres masculus et provisionis dicto quondam Roberto ultimo Domino Rutherford nepoti fratris proavi sui. Both George Durie and John Rutherford voted as Lord Rutherford at that election; also, at the general election 1741, and at an election 1742. George, Lord Rutherford, voted at an election 1774, his vote being protested against on behalf of John, Lord Rutherford. John, Lord Rutherford, died at London, 15th February 1745, æta. 62; and on the 21st of that month, George, Lord Rutherford, put an advertisement into the public papers, bearing, that Captain John Rutherford, who died lately, had no right to the title. At the general election 1747, George, Lord Rutherford, made a speech, and voted without challenge; and in March 1748, he printed "Memorial of George, "Lord Rutherford, setting forth his title "and claim to the peerage of Rutherford, "and for defeating the chymerical pretensions one Lieutenant Rutherford did set "up to that dignity, as now does his son "Alexander, who represents him." At an election 1750, Alexander, Lord Rutherford, son of John, Lord Rutherford, protested against George Durie of Grange's vote, as Lord Rutherford, which was nevertheless received. At an election 1752, both George Durie and Alexander Rutherford, voted as Lord Rutherford, and again at the general election 1754. George, Lord Rutherford, died at Grange, near Burntisland, 18th June 1759. The House of Lords, 16th March 1761, issued an order, that John Rutherford and David Durie, each of them severally taking upon himself the title of Lord Rutherford, do attend the House, to shew by what authority, and upon what grounds they take upon themselves such title. At the general election 1761, Alexander, Lord Rutherford voted. He presented a petition to the King, claiming the title, which was by his Majesty's command laid before the House of Lords, 14th December 1761. The Lords committees of privileges resolved 15th March 1762, that it is the opinion of the committee, that Alexander Rutherford and David Durie, taking upon themselves respectively the title of Lord Rutherford, ought to all intents and purposes to be considered as having no right to the said title, until they shall have made out their claim, and procured the same to be duly allowed, in the legal course of determination, and that in the mean time, until the same shall be so allowed, the said Alexander Rutherford and David Durie, or either of them, or any person claiming under them, or either of them, be not admitted to vote, by virtue of the said title, at the election of any peer of Scotland to sit and vote in this House; and that they, and each of them, be ordered not to presume to take upon himself the said title, honour, and dignity, until his claim shall have been allowed in due course of law. No person presumed to tender his vote as Lord Rutherford, from 1762, till 11th January 1788, when John Anderson in Goland, whose mother was aunt of David Durie, voted as such. On the 21st of April 1788, it was, in the House of Lords, moved, that the vote given for Lord Cathcart, at the last election of a peer to represent the peerage of Scotland, by a signed list under the title of Lord Rutherford, delivered in on the part of John Anderson of Goland, who appears to claim the said title, as cousin and heir of David Durie, mentioned in the resolution of this House on the 15th of March 1762, ought to have been rejected, and the question was resolved in the affirmative. The title of Lord Rutherford has, ever since, lain dormant.

Robertson's Proceedings, 196.

Rutherford.

Rutherford.

Book of Original Writs, penes Macf. D.

Carta penes eund. D.

Chartul. of Kelso. D.

Prynne, III. 631, 635.

Carta penes Macf. D. Chartul. of Dryburgh. D.

Reg. Mag. Sig. 149.

Reg. Mag. Sig. 193.

Fœdera, VIII. 54, 192.

Hadd. Coll. D.

Mag. Sig. L. vi. No. 45, 160

The family of Rutherford is of no small antiquity in the south of Scotland. Hugo de Rutherford witnessed a grant of Philip de Valoniis, of the lands of Torpenhow, in Cumberland, to Robert de Stuteville, before 1215, the year Philip died. Nicol de Rutherford, knight, is mentioned in a charter of Alexander III. 1261, and witnessed donations to the monastery of Kelso in 1270, and 1272. Nicholaus de Rutherford, chivaler, swore fealty to Edward I. 1296, as did Aymer de Rutherford. Sir Robert de Rutherford is mentioned in Barbour's life of King Robert I. Sir Richard de Rutherford witnessed a charter to the abbacy of Coupar, 1328; and another to the monastery of Dryburgh, 1338. His son, William de Rutherford, was forfeited in the reign of King David II., as appears from a charter of that monarch, granting to John de Allintm, all the lands which belonged to Richard de Rutherford, in the barony of Craufurd Lyndesay, in Lanarkshire, quæ fuerunt quondam Ricardi de Rothirford, quæ nos contingunt ratione forisfacturæ Willielmi de Rothirford, filii et hæredis dicti quondam Ricardi, et contra pacem et fidem nostram existentis, dated 19th April, in the 28th year of his reign, which answers to 1357, confirmed by King Robert II., 24th October 1377.

I. Ricardus de Ruthirfurde, dominus ejusdem, witnessed a charter of John Turnebull de Myntow, Willielmo Senescallo de Jedworth, militi, nepoti meo, dated at Myntow, 8th December 1390. Sire Richart of Rothirfurde, was one of the principal persons on the borders bound to keep the peace on the marches, 1398; and was made prisoner in 1400; as Henry IV., on the 30th October that year, issued an order to the Earl of Northumberland, to keep in safe custody Richard Rutherford, knight, and his sons, lately taken in war. By his wife, a lady of the name of Douglas, he had issue,

1. *James.*

2. *John* Rutherford of Chatto, of which lands he had a grant from Archibald, Earl of Douglas, 1424. His son, Robert Rutherford of Chatto, and Margaret, his wife, had a charter of part of Scraesburgh and Hunthill, in Roxburghshire, 18th January 1446-7. Richard Rutherford, son of Robert Rutherford of Chattew, had a charter of part of Glenysland, in the shire of Roxburgh, 22d July 1468. Andrew Rutherford of Hunthill, and Helen Rutherford, his wife, had a charter of Capehope, in Roxburghshire, 20th August 1529; John Rutherford of Hunthill, had a charter of Blackhauch, in Selkirkshire, 6th April 1535, and of Scraesburgh, 20th March 1536-7. His son, John Rutherford, called the Cock of Hunthill, had three sons: 1. Thomas, who had a charter Thomæ Rutherford, filio et hæredi Joannis Rutherford de Hunthill, 30th June 1612, father of John Rutherford, father of Thomas, Archibald, and Robert, Lords Rutherford. 2. John Rutherford, father of John Rutherford of Bankend, whose male line is extinct. 3. Richard Rutherford of Littlehaugh, father of John Rutherford of Kirkhope, father of John Rutherford of Kirkraw, father of Captain John Rutherford, who claimed the title of Lord Rutherford.

Rutherford.

Mag. Sig. L. xxiii. No. 56. L. xxv. No. 156. L. xxvi. No. 58.

3. *Nichol*, who had a charter of the lands of Grubet, Yhechame, Corbet, Haldene, and Surfumuresyde, in Roxburghshire, on the resignation of Thomas Charteris of Cangnor; also of Malcarston, 14th May 1426; and of Kirkyettam, in the same county, 6th July 1430. Nicolaus Rothirforth was one of the guarantees of truces with the English in November 1449, August 1451, and May 1453. He was ancestor of the Rutherfords of Hundalee, and other families of that name.

L. ii. No. 43, 44. L. iii. No. 67.

Fœdera, XI. 253, 300, 334.

II. James Rutherford of Rutherford, the eldest son, was a guarantee of a truce with the English, in November 1449, under the designation of James Rothirforth; again, in August 1451; and under the designation of Jacobus Ruyford de eodem, 11th June 1457. He had charters of the King's lands of Lethbert, Lethbertshiels, and Brimmis, in Stirlingshire, 2d May 1451, and 4th May 1452, and died not long afterwards, leaving a son,

Ibid. XI. 253, 300, 393.

Mag. Sig. L. iv. No. 79, 279.

III. James Rutherford of Rutherford, who, in a gift of the patronage of the church of Rutherford, which formerly belonged to the Earl of Douglas, is designed filius et hæres quondam Jacobi Rutherford

Rutherford.

Mag. Sig. L. vii. No. 194. L. x. No. 24. L. xi. No. 39.

de eodem, 13th July 1457. He was one of the conservators of a truce with the English the same year, and one of the wardens of the marches 1459; had charters of part of Overcrailing, Hounam, Capehope, and Swinflete, 6th March 1469-70; of the patronage of Bethrule, which belonged to James Rutherford his father, 13th June 1482; of part of the barony of Hounam, to him and Margaret Erskine his wife, 17th December 1484. "James of Ro- "therford, Lard of Roderford," was one of

Fœdera, XII. 246. Mag. Sig. L. xiii. No. 1, 2.

the commissioners for settling the marches in October 1484, and had charters to James Rutherford de eodem, Richard Rutherford his grandson, John, Thomas, Robert, and Andrew, sons of James, of the lands of Rutherford and Wellis, 15th January 1492-3; and of the lands of Edzarstoun, half of the barony of Hounam, the whole of the barony of Broundoun, lands of Elphinnishope, Edillishead, part of Maxton, and the patronage of Bethcroule, on the 15th of the same month. He died in 1493, having had issue,

1. *Philip.*

2. *John*, who appears to have died without issue.

3. *Thomas*, ancestor of the Rutherfords of Edzarstoun.

4. *Robert.*

5. *Andrew.*

Daughter, *Christian*, married, contract dated 12th February 1484, to Sir Robert Ker, younger of Cessfurd, and had issue,

IV. PHILIP RUTHERFORD, the eldest son, married, contract dated 12th February 1484, Elisabeth, only daughter of Walter Ker of Cessfurd, and was dead be-

Rec. Parl. 468.

fore 23d October 1495, when Walter Ker of Cessfurd, Walter Scott of Branxhame, and Elisabeth Ker his spous, the spous of umquhile Philip of Rutherfurd, soun and apperand air to James Ruyerfurd of yat ilke, occur as pursuers in a civil cause. They had a son,

Richard;—and two daughters,

Retour penes Don de Newton.

1. *Helen*, who was served heir of her brother Richard in the lands and barony of Rutherfurde and Wellis, 23d February 1502-3. She married, first, Sir John Forman of Dalvin, knight, brother of Andrew Forman, archbishop of St Andrews. This is documented by two charters of the lands of Edzarstoun, Broundoun, half of Hounam, Filloger, Crumzeartoun, Rutherfurdlandis, and the patronage of Bethroule, united into the barony of Edzarstoun, to John Forman of Dawan, knight, and Elena Rutherford his wife, grand-daughter and heir of the deceased James Rutherford of Rutherford, 5th December 1506, and to John Forman of Edzarstoun, knight, bro-

Rutherford.

Mag. Sig. L. xiv. No. 267. L. xvii. No. 100.

L. xxiii. No. 26.

ther-german of Andrew, bishop of Moray, and Elena Rutherford his spouse, of the lands of Rutherford and Wellis, which belonged to Richard Rutherford of Rutherford, brother of Elena, who succeeded to him, dated 9th August 1511. She married, secondly, Thomas Ker of Mersingtoun, with whose consent she granted some lands in Maxtoun to Mark Ker of Dolphinstoun, as Mark acknowledged by bond of 10th November 1516, "to ane ho- "nourable lady Helen Ruyerford, lady of "yat ilk, my sister dochter*." She married, thirdly, Andrew Rutherford of Hunthill. A charter was granted to Andrew Rutherford of Hunthill, and Helen Rutherford his wife, of the lands of Capehope, 20th August 1520. It does not appear that she had issue.

2. *Catherine*, married to James Stewart of Traquair, for which a papal dispensation was obtained, 9th November 1505; he got with her the lands of Rutherford and Wellis, and quartered the arms of Rutherford with his own.

V. RICHARD RUTHERFORD of Rutherford, the only son, was served heir of his grandfather 15th May 1499, but died without issue before 28th January 1502-3, when a commission under the quarter seal was issued to Patrick, Lord Lindsay, of the Byres and others, for serving his sister Helen heir of him. A contest arose betwixt his sisters, and the heir male, their uncle Thomas, third son of James Rutherford of Rutherford. Thomas was served heir male of Richard, but his niece Helen

Retour penes Don de Newton.

Commission, Ibid.

* Entered in the books of the lords of council, 18th February 1534. The same books, 11th February 1504, contain compromissum Domine Buccleuch, et Domini Joannis Forman, wherein the former is designed Elisabeth Ker, the dochter of umquhile Walter Ker of Cessfurd, and moyr (mother) to Elein Rutherford, dochter to ye said Philip.

Rutherford.

got that service reduced, and inherited the estates. On her death without issue, William Stewart of Traquair, her nephew, was served her heir of line, and got the lands of Rutherford and Wells confirmed to him; the barony of Edzarstoun remained with the heir male, Richard Rutherford, son of Thomas, who had a charter of that barony to Richard Rutherford, cousin of John Stewart of Traquair, from the said John Stewart, dated 12th January 1659-60. From him descended several families of that name, and the barony of Edzarstoun is still in the possession of his male representative, John Rutherford of Edzarstoun, the very respectable Member of Parliament for the county of Roxburgh.

Rutherford

Mag. Sig. L. xxxi. No. 495.

ARMS.—Argent, an orle, gules, and in chief three martlets, sable.

CREST.—A martlet, sable.

SUPPORTERS.—Two horses, proper.

MOTTO.—*Nec sorte nec fato.*

RUTHVEN, LORD RUTHVEN.

Ruthven.

I. ALEXANDER RUTHVEN, third son of William, second Lord Ruthven, got from his father the lands of Freeland in Perthshire, and had a charter from William, Earl of Gowrie, dilecto patruo suo Alexandro Ruthven de Freeland, et Isabellæ Fotheringham, sponsæ suæ, of part of the lands of Forteviot, 1st August 1585. He also got a charter of some lands and an orchard in the barony of Forgandenny, on the banks of the Earn, with a fishing in that river, 4th May 1597, and he died 9th October 1599.

Penes D. Ruthven. D.

Mag. Sig. L. xli. No. 163.

By the said Isabella Fotheringham, daughter of Powrie, he had issue,

1. *William.*

Arnot. Crim. Trials, 20.

2. *Henry*, who was forfeited for his accession to Gowrie's conspiracy by parliament, 15th November 1600.

3. *Alexander*, who was also forfeited for the same, on the same day. He had two sons, Colonel William Ruthven, who died in the King's service, and Patrick Ruthven, who was served heir in general of Alexander Ruthven, son of Alexander Ruthven of Freeland, his father, 22d March 1665.

Inq. Ret. xxvii. 34.

1. *Jean*, married to Mercer of Cleverdge.

2. *Barbara*, married to Henry Rattray of Rattray.

Ruthven.

3. *Isabel*, married to Baron Reid in Strathardle, from whom descended Alexander Robertson of Straloch, alias Baron Reid.

II. WILLIAM RUTHVEN of Freeland, the eldest son, was served heir of his father, 13th February 1600, and 25th April 1601, had a charter of the lands of Kirktoun-Malar, and a fishing in the Earn, 1607, and died of the plague, 20th October 1608. He married Elisabeth, eldest daughter of Sir William Moncrieff of Moncrieff, by whom he had a son,

Inq. Ret. ii. 24, 91.

In Pub. Arch. D.

Sir *Thomas*;—and two daughters,

1. *Mary*, married to George Hay of Naughton, and had issue.

2. *Elisabeth*, married to Sir David Macgill of Rankeillour, and had issue.

III. Sir THOMAS RUTHVEN of Freeland, the eldest son, was served heir of his grandfather, 16th December 1609, and of his father on the same day, and 10th March 1610. He had a charter of the lands of Kirktoun-Malar in Perthshire, 21st December 1609; was a commissioner for the

Inq. Ret. ii. 340, 348, 356.

Mag. Sig. L. xlvi. No. 122.

Ruthven. Rescinded Acts.

treaty of Rippon, 1641; colonel of one of the regiments sent against the Marquis of Huntly, 1644; one of the committee of estates, 1646 and 1647; one of the colonels for Perthshire for putting the nation in a posture of defence after the death of Charles I., and a commissioner of exchequer, 1649.

Mag. Sig. L. lviii. No. 251.

A charter was granted to Sir Thomas Ruthven of Freeland, knight, of the lands of Forteviot, united into the barony of Kirktoun-Malar, 7th February 1650. He was, by King Charles II., created a peer, by the title of Lord Ruthven of Freeland, 1651; the patent was burnt with the house of Freeland, 15th March 1750, and the limitations are not on record, but it is understood that the honours were to the heirs general of the patentee's body, as the title was kept on the union roll, and it is not mentioned among the dubious peerages in the report of the Lords of Session to the House of Peers, 1740. Thomas, Lord Ruthven, had a charter of the third part of the lands of Forgandenny in Perthshire, 3d August 1663, and died 6th May 1673 *. He married Isabel, third daughter of Robert, Lord Balfour of Burleigh, by whom he had a son,

L. lviii. No. 325. Crawf. Peer.

David, second Lord Ruthven;—and three daughters,

1. Hon. *Anne* Ruthven, married, first, to Sir William Cunningham of Cunninghamhead; secondly, to William Cunningham, younger of Craigends, but of her there is no succession. By her first husband she had a son, Sir William Cunningham of Cunninghamhead, who was served heir of Anna Ruthven, wife of Sir William Cunningham of Cunninghamhead, his mother, 21st March 1689.

Inq. Ret. xl. 308.

2. Hon. *Elisabeth* Ruthven.

3. Hon. *Jean* Ruthven, who died without issue.

* Park, in his edition of Walpole's Royal and Noble Authors, V. 49, notices a publication, thus entitled, The Ladies Cabinet enlarged and opened, containing many rare secrets and rich ornaments of several kinds and different uses, comprised under three general heads, viz. 1. Of preserving, conserving, candying, &c. 2. Physic and chirurgery. 3. Cookery and housewifery. Whereunto is added sundry experiments and choice extractions of waters, oils, &c. collected and published by the learned chymist the Lord Ruthven, the fourth edition, London, 1667. The stationer's address to the reader is dated August 1657.

IV. David, second Lord Ruthven, was served heir of his father, 16th May 1673, was one of the lords of the treasury in the reign of King William III., and died without issue in April 1701.

Ruthven. Inq. Ret. xxxii. 29.

IV. The Hon. Elisabeth Ruthven, his sister, married Sir Francis Ruthven of Redcastle, descended from the house of Gowrie, by whom she had one daughter,

V. Isabel, Baroness Ruthven, who succeeded her uncle David, the second Lord, and had summons as a baroness to the coronation of George I., and also of George II. She died in 1732, having married Colonel James Johnston of Gratney, in the county of Dumfries, by whom she had a son,

James, third Lord Ruthven;—and a daughter,

Hon. *Anne* Ruthven, married, first, to the Hon. Henry Rollo, second son of Robert, fourth Lord Rollo; secondly, to Frederick Bruce of Bunzeon, without issue.

VI. James, third Lord Ruthven, succeeded his mother 1732, and died at Edinburgh, 3d July 1783. He married, first, Janet, daughter of William Nisbet of Dirletoun, in the county of Haddington, sister of the Countess of Leven and Lady Banff, and by her had two sons,

1. *James*, fourth Lord Ruthven.

2. Hon. *William* Ruthven, who died unmarried.

He married, secondly, Lady Anne Stewart, second daughter of James, second Earl of Bute, and by her, who died at Cumbernauld House, 26th November 1786, had issue,

1. Hon. *Stewart* Ruthven, who died young.

2. Hon. *John* Ruthven, who was appointed a captain in the royal navy, 24th May 1762, when he commanded the Terpsichore of 26 six-pounders, and captured the Marquis of Maregny of 20 nine-pounders, after a severe conflict, in which he was wounded. He died unmarried at Knightsbridge, 14th December 1771, in his 27th year.

1. Hon. *Anne* Ruthven, married to John,

eleventh Lord Elphinstoun, and had issue, and died 28th October 1801.

2. Hon. *Isabel* Ruthven, married to Captain John Macdougal, younger of Macdougal; he died at Bombay, 27th April 1775; and she died at the same place, 4th September following.

3. Hon. *Wortley Montagu* Ruthven, who died, unmarried, at Edinburgh, 4th March 1768.

4. Hon. *Elisabeth* Ruthven, married, at Edinburgh, 18th July 1763, to Sir Robert Laurie of Maxwelltoun, in the county of Dumfries, baronet, representative in parliament for that shire from 1774 till his death in 1804; and had one son, the gallant Sir Robert Laurie of Maxwelltoun, baronet, captain in the royal navy, born 25th April 1764; and a daughter, Anne, born 13th June 1769, married 22d February 1794, to John Minet Fector of Updown, in Kent, banker in Dover.

5. Hon. *Jean* Ruthven, died young.

6. Hon. *Grace* Ruthven, died young.

7. Hon. *Janet* Ruthven, married, in August 1765, to Wade Toby Caulfield, captain in the third regiment of dragoon-guards, and had ten children, and died in 1785.

8. Hon. *Crawford* Ruthven, died young.

VII. James, fourth Lord Ruthven, the eldest son, had an ensigncy in the 31st regiment of foot, 1755; a lieutenancy in the 33d foot, 1757; a company in the 12th regiment of foot, 1762; succeeded his father 1783, and died at Melville House, 27th December 1789. His Lordship married, at Edinburgh, 12th November 1776, Lady Mary Elisabeth Leslie, second daughter of David, sixth Earl of Leven and Melville, and had issue,

1. *James*, fifth Lord Ruthven.

2. Hon. *David* Ruthven, born 11th December 1781, died young.

3. Hon. *David* Ruthven, born 22d August 1787, who was placed on the Bengal civil establishment, 1805, and died at Madras, 7th September 1808, in his 22d year, unmarried.

1. Hon. *Wilhelma* Ruthven, born 18th November 1778.

2. Hon. *Janet Anne* Ruthven, born 15th April 1780, died at Bristol Hot Wells, 31st October 1805.

3. Hon. *Jane* Ruthven, died at Freeland House, 1st March 1804.

4. Hon. *Isabella* Ruthven, died at Melville house, 13th November 1787.

5. Hon. *Mary Elisabeth Thornton* Ruthven, married at Freeland House, 13th October 1806, to Walter Hore of Harperstoun, in the county of Wexford in Ireland, Esq.

6. Hon. *Charlotte Rebecca* Ruthven, died at Freeland House, 19th March 1804.

VIII. James, fifth Lord Ruthven, born at Melville House, 17th October 1777, succeeded his father 1789; was an officer in the army; attained the rank of major in the 90th regiment of foot, 1802; and quitted the service 1807.

Title.—James Ruthven, Lord Ruthven of Freeland, in the county of Perth.

Creation.—Lord Ruthven of Freeland, 1651.

Arms.—Pally of six, argent and gules.

Crest.—A ram's head, couped.

Supporters.—Dexter, a ram; sinister, a goat, proper.

Motto.—*Deed shaw.*

Chief Seat.—Freeland House in Perthshire.

STEWART, LORD SAINT COLME.

Stewart.

I. HENRY STEWART, second son of James, Lord Down, and brother of James, Earl of Moray, got from his father the abbey of St Colme, in the Frith of Forth, and the lands thereto belonging in the counties of Edinburgh, Fife, Linlithgow, and Perth. He had a charter, Henrico Stewart, filio Jacobi Domini de Down, ad prioratum de Inchemahomo, 23d August 1584. He was created a peer, and had a charter, Henrico, Domino de Saint Colme, of the monastery of St Colme's Inch, and the lands of the same, united into the temporal lordship of St Colme, with the title of a lord of parliament, 7th March 1611, and he died 12th July 1612.

Mag. Sig. L. xxxvi. No. 10.

L. xlvi. No. 333.

Crawf. Peer. 450.

He married Lady Jean Stewart, daughter of John, fifth Earl of Atholl, by whom he had a son,

Stewart.

II. JAMES, second Lord ST COLME, who was served heir male of his father Henry, Lord St Colme, 27th October 1642, in his property in the counties of Edinburgh, Fife, Haddington, Linlithgow, and Perth, comprehending Chalmerstoun, Caldsyde, Cotfield in the barony of Restalrig, the isle of St Colme, the barony of Beith, Donybirsel, Cuthilhill, and many other lands, which formerly belonged to the abbacy of St Colme. His Lordship was a colonel in the service of Gustavus Adolphus, King of Sweden; and dying without issue, his estates devolved on the Earl of Moray.

Inq. Ret. xvii. 94.

ABERNETHY, LORD ABERNETHY OF SALTON.

Salton.

THE progenitor of the antient family of Abernethy, was

I. ORM, the son of Hugh, who flourished under Malcolm IV., a charter of whom he witnessed. He possessed, during the reign of that monarch, the lands of Dunloppie in Forfarshire, and Balbrennie (Balbirnie) in Fife. This last he exchanged with Duncan, Earl of Fife, for the lands of Glenduachy in Fife, and Balmadethy, in Forfarshire, confirmed by King William I. before 1185. From that monarch he obtained the lands of Abernethy in Strathearn, from whence his posterity assumed their surname. He had a daughter married to Henry Rule of Balmerino,

Caledonia, I. 542. Chartul. of St Andrews. D.

Carta penes Fam. de Douglas. D.

Chartul. of St Andrews. D.

who got with her a ten-mark land of old extent, and a son,

Salton.

II. LAURENCE, who made a donation of the patronage of the church of Abernethy to the monastery of Arbroath, and gave in legacy to the canons regular of St Andrews ten shillings yearly, payable out of his lands of Bambreich, with consent of Sir Patrick Abernethy, his son and heir, whose seal is appended thereto. He resigned to the monks of Balmerinach the lands of Cultran, Balnedan, Balnedard, Corteby, and Balmurenach, in consideration of 200 marks received from the executors of Queen Ermegarda, the foundress of that monastery. He obtained from

Simson's Essay on the family of Douglas. D.

Chartul. of St Andrews. D.

Caledonia, I. 542. Chartul. Balmer. 7.

Salton.

Carta penes Fam. de Douglas. D.

King Alexander II. a confirmation of the charter of Malcolm IV. of the lands of Dunloppie, and of the grant of Abernethy by William I. Laurentius de Abrinthia was one of the guarantees of a treaty of peace betwixt Alexander II. and Henry III. of England, 1244; and was father of

Fœdera, I. 428.

III. Sir Patrick Abernethy, who died before 1257, leaving issue,

1. *Hugh*, who joined the Earls of Menteth and Buchan in seizing Alexander III. and his Queen in 1257. He gave with his sister Margaret, in marriage to Hugh de Douglas in 1259, a twenty-merk land in his own town of Glencorse, or feu of Chamberlain Newton. Hugh de Abirnith was one of the magnates Scotiæ to whom, in 1260, Henry III. became bound to deliver the child of the Queen of Alexander III. when she went to England to lie in. He made several donations to the monastery of Cupar in Angus in 1268 and 1269, and witnessed a charter of Alexander III. to the monastery of Coldstream in 1276. He was dead before 3d September 1296, when Edward I. issued an order to the sheriff of Forfar to repone Maria quæ fuit uxor Hugonis de Abyrneth in her lands. He had a son, Alexander de Abrenethy, miles, who swore fealty to Edward, 10th July 1292; again, 25th June 1296; adhered to the English interest in 1307; and was, by Edward II., appointed warden of the country betwixt the Forth and the mountains of Scotland, in 1310. He was one of the plenipotentiaries of the English monarch to treat with King Robert I. in 1312; and Edward II., on the 3d of May 1313, made a grant of the manor of Wyleighton to Alexander de Abernythy. It appears that he was forfeited by King Robert I., who granted to his dear son Robert Bruce the lands of Alexander de Abernethy, and Margaret his daughter, and one of his three heirs, by reason of his forfaltrie. He left three daughters: 1. Margaret, for a dispensation for whose marriage with Roger de Moubray, as tending to promote concord betwixt England and Scotland, application was made by King Edward II. to the Pope, 1st July 1311; again, 17th April 1312. This marriage does not appear to have taken effect, as she was married to John Stewart, Earl of Angus, who got with her the barony of Abernethy, the superiority of which is still possessed by the family of Douglas, as representatives of the Earls of Angus. For this marriage a papal dispensation was obtained, 25d November 1329, permitting them to marry, notwithstanding their being related in the fourth degree of consanguinity. 2. Mary, married to Sir David de Lyndesay, ancestor of the Earl of Crawford, who got with her the lands of Downie in Angus, Cairny, Dunboig, and Countryhils in Fife, and Chamberlain Newton in Roxburghshire. For this marriage a papal dispensation was obtained in 1325, wherein she is designed Maria filia Alexandri de Abirnethi. 3. Mary, (so named in the first edition, and in Crawford) married to Andrew de Lesley, ancestor of the Earl of Rothes, who got with her Ballinbreich in Fife, and other lands. These three families quarter the arms of Abernethy with their own.

Fordun, II. 91.

Contr. penes Fam. de Douglas. D.

Fœdera, I. 715.

Chartul. of Cupar and Coldstream. D.

Fœdera, II. 727.

Prynne, III. 650.

Fœdera, II. 570. III. 14, 211, 300, 404.

Robertson's Index, 15.

Fœdera, III. 270, 321.

2. *William.*

3. *Henry*, who witnessed a charter of Alexander III. in 1260.

Chartul. of St Andrews. D.

Daughter, *Margaret*, married in 1259, to Hugh de Duglas, without issue.

Contract penes Fam. de Douglas. D.

IV. Sir William Abernethy of Salton, the second son, made a donation to the monastery of Dryburgh of two marks a year out of his mill of Uthilstoun in Lauderdale, 1273. He was the instigator of the murder of Duncan, Earl of Fife, one of the guardians of Scotland, who was treacherously killed by Sir Patrick Abernethy and Sir Walter Percy at Potpollock, 25th September 1288, while Sir William lay in wait to intercept him had he gone another road. Sir William Abernethy and Sir Walter Percy were immediately apprehended by Andrew de Moravia, at Colbanstoun in Clydesdale. Percy was executed, and Sir William Abernethy committed to the custody of William de Douglas, in Douglas Castle, where he remained till his death *. He had a son,

Chartul. of Dryburgh, 109.

Fordun, II. 148.

* Margarete que fu la femme William de Abernythyn sworn fealty to King Edward I. 1296. Prynne, III. 662.

Salton.

A. Stuart, 36, 450.

Ibid. 446.

Carta penes Com. de Rothes. D.

Salton.

Chartul. of Dryb. 246. D. Prynne, III. 656. D. Chartul. of Dryb. 218, 239. D.

V. Sir WILLIAM ABERNETHY of Salton, who in a donation to the abbacy of Dryburgh, is designed filius et hæres Domini Willielmi, 1294. He swore fealty to Edward I. 1296; made a grant to the monastery of Dryburgh of a messuage, with a brewhouse, in villa sua de Salton, before 1300; confirmed his father's donation out of the mill of Ulkilstoun to the same monastery, 1318; signed the famous letter to the Pope asserting the independency of Scotland, 1320, and died soon afterwards. He had two sons,

Fordun, II. 275.

1. Sir *William*.

2. *Laurence* de Abernethy, who had a charter of the lands of Lambertoun in Berwickshire from King Robert I. He joined Edward Baliol, and defeated William Douglas five times in one day, but Douglas returned to the conflict so pertinaciously, that before the setting of the sun he made Abernethy prisoner, in 1338. King David II. made grants of Hawthornden in Midlothian; Myirhall, in the county of Peebles; Lamberton, in Berwickshire, and Borthwickshiels in Roxburghshire, forfeited by Laurence Abernethy. His daughters succeeded to his estate, which was considerable. Helen, one of them, disposed of the estates of Hawthornden, Butel, Leatbernard, and others, to her nephew Sir William Douglas of Strabrock, confirmed to him by Robert II., 1378, as appears from a charter in the possession of Drummond of Hawthornden.

Robertson's Index, 4. Fordun, II. 330. Wyntoun, II. 230.

Robertson's Index, 54, 56, 57.

VI. Sir WILLIAM ABERNETHY of Salton, the eldest son, witnessed a donation to the monastery of Newbottle by Sir William Livingston of Drumry, 1338; had from King David II. a grant of the lands of Rothemay in Aberdeenshire, forfeited by David de Strathbogie, and left a son and successor,

Chartul. of Newb. 68. D.

Robertson's Index, 62.

VII. GEORGE ABERNETHY, who is mentioned in a charter of Walter, high-steward of Scotland, who died 1326, to the monastery of Dryburgh, and was one of the prisoners taken at the battle of Durham, 17th October 1346. He had two sons,

Book of Orig. Writs, Macf. D. Fœdera, V. 524.

1. Sir *George*.

2. Sir *John* Abernethy of Balgony, who had a safe conduct to John de Abrenthy valettus David de Bruys, to come into England, 5th December 1363. King David II. granted a charter, dilecto bachillario nostro Johanni de Abernethy, of his Majesty's lands of Balgevery, Cragynkat, Balgialy Wester, and Balgialy Easter, in the barony of Kyngorne in Fife, to be held by him, to the extent of twenty pounds of land, till the end of ten years, 15th February 1367-8; and another, Johanni de Abernethy, militi, of the same lands to the extent of twenty-six pounds sterling, 15th March same year. John de Abbernethy, chivaler, de Scotia, obtained a safe conduct to pass through England to the Holy Land, 4th December 1381, with six horsemen in his company.

Salton.

Fœdera, VI. 428. Reg. Mag. Sig. 49, 61.

Fœdera, VII. 337.

VIII. Sir GEORGE ABERNETHY of Salton, the eldest son, in a charter of the lands of Longformacus to Sir James Sinclair, is designed Georgius de Abernethy, Dominus de Sawylton, miles, 22d June 1384. King Robert III. confirmed to Sir William Stewart of Jedburgh all the lands and tenements in the territory of Minto, which belonged to George de Abernethy, knight, and which were resigned by him, dated 8th November 1391. He had a son,

Carta penes D. Jo. Sinclair. D. Dair. Coll. 431.

Reg. Mag. Sig. 207.

IX. Sir WILLIAM ABERNETHY of Salton, who, under the designation of William of Abernethy, knight, Lord Saltoun, granted a charter to John Abernethy, of the lands of Kynnaldy, in the barony of Rethy, in Forfarshire, with ane taillie, blench, in the reign of Robert III., from whom he had a charter of the barony of Rethy and Kylzalany. He was taken prisoner at Homildon 1402; had a safe conduct into England 1405; and died in 1420, according to Fordun, who calls him a magnanimous knight. He married a daughter of Robert, Duke of Albany, by whom he had two sons,

Robertson's Index, 137, 142.

Fordun, II. 435. Fœdera, VIII. 417. Fordun, II. 460.

1. *William*.

2. *Parick* de Abernethi, who witnessed a charter of Robert, Duke of Albany, to John, Earl of Buchan, 24th November 1413, wherein he is designed by the Duke, nepos noster dilectus.

Reg. Mag. Sig. 255.

X. WILLIAM DE ABERNETHY, the eld-

Salton.

Fordun, II. 445.

est son, was killed at the battle of Harlaw in 1411, where occisus est Willielmus de Abirnethy, filius et hæres Domini de Salton, et nepos gubernatoris. He married Margaret, daughter of Sir William Borthwick of Borthwick. Robert, Duke of Albany confirmed to Margaret de Abernethy, daughter of William de Borthwick, the lands of Buteland in the shire of Edinburgh, on the resignation of Archibald, Earl of Douglas. She married, secondly, William de Douglas, son of Sir James de Douglas of Dalkeith, for which a papal dispensation was obtained in December 1421. By her William de Abernethy had two sons,

Robertson's Index, 167.

1. Sir *William*.

2. *Oswald*, who, under the designation of Oswald de Abrenethy, witnessed a treaty with the English in November 1449. He had a son, William, a substitute in the entail of his cousin William, second Lord Abernethy, 1464.

A. Stuart, 454.

Fœdera, XI. 246.

XI. Sir WILLIAM ABERNETHY of Salton, the eldest son, had a letter of safe conduct to meet King James I. at Durham, 13th December 1423, being designed Willielmus de Albyrnethy, miles; and Dominus Willielmus de Abbirnethy was delivered up to the English as a hostage for his Majesty's ransom, 28th March 1424, when his annual revenue was estimated at 500 marks. He left a son,

Ibid. X. 309, 327.

XII. LAURENCE ABERNETHY of Salton and Rothemay, the eldest son, was created a peer, 28th June 1445, as at the ranking of the nobility in 1606, Lord Salton produced an instrument under the hands of George Schorsvald, bearing, that the King that day created Laurence Abernethy of Rothemay lord of parliament, and ordained him to be styled Lord Saltoun of Abernethy. Lord Abernethy was one of those selected for ministering of justice by parliament, 19th October 1456. He had issue,

Carmichael's Tracts, 16, 43.

Rec. Parl. 39.

1. *William*, second Lord Abernethy of Salton.

2. *James*, third Lord Abernethy of Salton.

3. *George*.

4. *Archibald*.

Daughter, *Christian*, married to Sir John Wemyss of Wemyss.

XIII. WILLIAM, second Lord ABERNETHY of SALTON, the eldest son, had charters Willielmo, Domino Abernethy in Rothymay, and the heirs male of his body; remainder to James, George, and Archibald Abernethy his brothers; John Abernethy, cousin of the said William, son of Oswald Abernethy, and the heirs male of their bodies respectively; remainder to the nearest heirs of William, bearing the name and arms of Abernethy; of the lands of Rothymay, in Banffshire; Reddy, in Forfarshire; Dalgathy, in Fife; Dalders, in Stirlingshire; Glencorse, in the county of Edinburgh; Saltoun, in the county of Haddington; Lilestoun and Ugistoun, in Lauderdale; and Plenderleith, in Roxburghshire, 28th January 1453-4, and 5th August 1464. He had another charter of the same lands, erected into the barony of Abernethy of Rothemay, 28th January 1482-3, wherein Archibald Abernethy was mentioned as deceased, and his heirs male were substituted in his place. Dying soon afterwards without issue, he was succeeded by his brother,

Salton.

Mag. Sig. L. vi. No. 77, 112. L. x. No. 57.

XIII. JAMES, third Lord ABERNETHY of SALTON, who was served heir of him in his estates, 1484. He had a son,

Writs of the Family of Strathmore. D.

Alexander, fourth Lord Abernethy of Salton;—and three daughters,

1. *Margaret*, married to John Stirling of Craigbernard.

2. *Janet*, married to Alexander Ogilvy of Deskford. They had a charter, 21st June 1509.

3. *Elisabeth*, married to Alexander Hay, son and heir apparent of Gilbert Hay of Ardendroch, ancestor of the Hays of Dalgety.

XIV. ALEXANDER, fourth Lord ABERNETHY of SALTON, the only son, had a charter to Alexander Abernethy, son and heir apparent of James, Lord Abernethy in Rothymay, of the lands of Saltoun, Glencors, Grenelaw mill, Ugstoun, Lialstoun, Reddy, Rothymay, Cornearne, Marchle, and Edintore, 9th March 1491-2. He had charters, to Alexander, Lord Abernethy of Salton, of Quhorsque, in the barony of Aberkerdour in Banffshire, from Alexander Innes of Innes,

Mag. Sig. L. xii. No. 264. L. xix. No. 71, 119, 120. L. xix. No. 143. L. xx. No. 9.

Salton.

1st May 1514; of Authindaveris and Remoyre, 14th March 1512-3; of Ardmale, 26th November 1516; and of Torax, all in the same county, 26th February 1516-7. He had a daughter, *Beatrix*, married to Alexander Forbes of Pitsligo, they had a charter, 8th December 1521; and a son,

Mag. Sig. L. xviii. No. 76. L. xxv. No. 368. L. xxvi. No. 215. L. xxviii. No. 513.

XV. WILLIAM, fifth Lord ABERNETHY of SALTON, who had a charter to William Abernethy, son and heir apparent of Alexander, Lord Abernethy, and Elisabeth Hay his wife, of the lands of Dalders in Stirlingshire, and part of Reddy in Forfarshire, from his father, 23d July 1512. Succeeding his father, he had charters to William, Lord Abernethy of Salton, and Elisabeth Hay his wife, of the lands of Park of Corncarry in Banffshire, 27th November 1536; and to himself, of the lands of Corsky, and part of Cromby in Banffshire, 11th December 1538, and of Whelplaw in Lauderdale, 21st March 1542-3. He married Elisabeth, daughter of John, Lord Hay of Yester, by whom he had a son,

L. xxxii. No. 52.

XVI. ALEXANDER, sixth Lord ABERNETHY of SALTON, who had a charter of the lands of Strathisla in Banffshire, to Alexander, Lord Salton, 8th January 1569-70. He was served heir of his grandfather Alexander, Lord Salton, 15th April 1575; had charters of part of the ecclesiastical lands of Drumblait, and the superiority of the barony of Lessendrum, in Aberdeenshire, ult. Februarii 1581-2, and he died in April 1587. He married Lady Alison Keith, third daughter of William, fourth Earl Marischal, to whom, in her virginity, with consent of her father, and Elisabeth Hay his mother, his curators, he granted a charter of the barony of Salton, 28th August 1550. They had a son,

Inq. Ret. I. 57.

Mag. Sig. L. xxxv. No. 564, 600.

George, seventh Lord Abernethy of Salton;—and a daughter,

L. xxx. No. 488.

Elisabeth, married to John, tenth Lord Glamis, high-chancellor of Scotland.

XVII. GEORGE, seventh Lord ABERNETHY of SALTON, the only son, had a charter to George, Lord Salton, of the lands of Ardmaillie in Banffshire, 24th May 1588, and died in 1600. He married Lady Margaret Stewart, second daughter of John, Earl of Atholl, high-chancellor of Scotland. She had a charter to Margaret Stewart, Lady Salton, of the barony of Kellie, 24th August 1584. They had a son,

Salton.

Mag. Sig. L. xxxv. No. 915.

John, eighth Lord Abernethy of Salton;—and two daughters,

1. *Margaret*, married to Sir Alexander Fraser of Philorth.

2. *Jean*, married, in 1607, to Sir John Lindsay of Kinfauns, knight of the Bath, who died in the lifetime of his father, Sir Henry Lindsay of Carraldstoun, knight, afterwards twelfth Earl of Crawford, and had issue, Jean and Margaret, designed legitimate daughters of Sir John Lindsay, knight of the order of the Bath, in a retour dated 31st December 1641.

Inq. Ret. xvi. 283.

XVIII. JOHN, eighth Lord ABERNETHY of SALTON, the only son, was served heir of George, Lord Abernethy of Saltoun, his father, 29th June 1601, and of Alexander, Lord Abernethy of Saltoun, his grandfather, 4th February 1603. He had charters of the barony of Abernethy in Rothemay, 21st February 1602-3; of Balveny, Botriphinie, Aberlour, &c. united into one barony, 26th April 1610; sold Rothemay the same year to Sir James Stewart of Killeith, and died before 1617. He married, first, Lady Mary Stewart, second daughter of James, Earl of Moray, without issue; secondly, Anne, daughter of William, first Lord Blantyre. By the last he had three children,

Ibid. ii. 111. iii. 38.

Mag. Sig. L. xliii. No. 95. L. xlvi. No. 261.

1. *Margaret*, born 19th November 1609, died young.

Edin. Reg.

2. *Alexander*, ninth Lord Abernethy of Salton.

3. *Margaret*, born 2d February 1613, died unmarried.

Ibid.

XIX. ALEXANDER, ninth Lord ABERNETHY of SALTON, the only son, born at Edinburgh, 26th March 1611, sold the estate of Salton to Sir Andrew Fletcher in 1643, was served heir of his guidser George, Lord Abernethy of Salton, 6th April 1638; and dying without issue in 1669, æta. 58, his title devolved on the heir of line, Sir Alexander Fraser of Philorth. Several

Ibid.

Inq. Ret. xxv. 52.

Crawf. Peer. 435.

L. xliii. No. 93.

Salton.

families of the name of Abernethy are still subsisting in the north.

ARMS.—Quarterly: 1st and 4th, Or, a lion rampant, gules, surmounted of a ribbon, sable, for Abernethy; 2d and 3d, Argent, three piles, their points conjoined in base, gules, for Wishart.

CREST.—A parrot, feeding on a bunch of cherries, proper. Salton.

SUPPORTERS.—Two falcons, proper, armed, chased, and belled, Or.

MOTTO.—*Salus per Christum.*

FRASER, LORD SALTON.

THE name of Fraser is of great antiquity in Scotland *. Sir Simon Fraser enjoyed half of the territory of Keith in East Lothian, as early as the reign of David I., which, from him, was called Keith Symon; and he granted to the monks of Kelso the church of Keith, confirmed by Malcolm IV. and William I. He had a daughter, Eda, the wife of Hugh Lorens, mother of Eda, married to Hervey, the King's marischal, proprietor of the other half of the territory of Keith, called Keith Hervey, ancestor of the Earls Marischal. Caledonia, I. 553. Crawf. Off. St. 269.

Another family of the Frasers settled on the lands of North-Hales, in the county of Haddington, as vassals of the Earls of March. Bernard Fraser appears as chief of this family in the reign of Alexander II. His mother was a daughter of Ness, who held the lands of Fortun in East Lothian. His grandfather was probably Gilbert, who flourished under Malcolm IV. Bernard Fraser raised himself by his talents, from being a vassal of a subject, to be tenant in chief of the King. He was a frequent witness to the charters of Alexander II.; was made sheriff of Stirling, 1234; swore to the performance of the treaty of York, 1237; was alive in November 1247, when he witnessed a charter of Alexander II., and is said to have died about 1250. This eminent man appears to have been succeeded by his relative. Caledonia, I. 553. Fœdera, I. 377.

I. GILBERT FRASER, who was sheriff of Traquair during the reign of Alexander II. and his successor. He had three sons, Caledonia, I. 553.

1. *Simon.*

2. *Andrew*, sheriff of Stirling in 1292 and 1293, one of the nominees on the part of Baliol, 1292. He swore fealty to Edward I., 17th July 1292, and was present when Baliol did homage to Edward, 26th December 1292. Fœdera, II. 555, 570, 594.

3. *William*, chancellor of Scotland from 1274 to 1280, and bishop of St Andrews from 1279 to his death in 1297 *. Crawf. Off. St. 1b.

II. SIMON FRASER, the eldest son, on the death of his father became sheriff of Peebles from 1263 to 1266. He possessed the lands of Oliver Castle, Niedpath, and others, in Tweeddale, and was one of the magnates Scotiæ who engaged to support Margaret of Norway as the heir of Alexander III., 1284. He sat in the numerous par- Caledonia, I. 554.

* A Gallic origin has been assigned to this family, which is stated to proceed from Julius de Berry, who entertaining one of the Kings of France with a dish of fine strawberries, to his Majesty's satisfaction, had strawberry leaves, in French frases, assigned to him for his arms; and they also took their name from thence. This fable is inserted merely to illustrate the armorial bearing of the family.

* Richard Fraser was one of the nominees on the part of Baliol in the competition for the throne of Scotland, 1292. Fœdera, II. 555. Ricardus Fresel swore fealty to Edward I., 8th July 1292. Ib. 569. He was present when Baliol did homage to Edward I., 26th December 1292. Ib. 594. Sire Richard Freser del Counte de Dunfres, swore fealty to Edward, 1296. Prynne, III. 662.

Salton.

liament of Brigham, 1290, when the marriage of Margaret with Prince Edward was proposed; swore fealty to Edward I. at Norham, 12th June 1292; and was one of the nominees on the part of Baliol for supporting his claim to the crown of Scotland, 1292. He had two sons,

1. *Simon* Fraser of Oliver Castle, sheriff of Peebles, who was a prisoner of Edward I. in 1296, and the next year engaged to serve him in his foreign wars, pledging his wife and children for his faithful performance of that engagement. A notification of the truce betwixt the Scots and English was made to Simon Fraser, gardiano forestæ de Selscirk, 30th October 1300. He took arms against Edward in 1302; and with John Cumyn, one of the guardians of Scotland, defeated three divisions of the English army near Roslin, 24th February 1302-3. He was excepted from the general conditions of the capitulation at Strathorde, 9th February 1303-4; it being provided, that he should be banished for three years from the dominions of Edward, and should not be permitted, during that space, to repair to the territories of France. A fine of three years rent of his estate was imposed on him by Edward in 1305. After the defeat of King Robert I. Simon Fraser was, by orders of Edward I., executed at London in 1306, and the head of that renowned warrior, of great prowess, and of many virtues, was placed on the point of a lance near the head of Wallace. He left two daughters, the one married to Sir Patrick Fleming, progenitor of the Earls of Wigton; and the other, Mary, to Sir Gilbert Hay of Locherworth, ancestor of the Marquis of Tweeddale. Both these families quartered the arms of Fraser in consequence of that alliance.

Caledonia, II. 924.

Fœdera, II. 870.

Dalr. Ann. I. 299, 305, 317.

2. Sir *Alexander*.

III. Sir Alexander Fraser, the second son, swore fealty to Edward I. at Berwick, 28th August 1296. He joined King Robert I. at his coronation in March 1306, and was taken valiantly fighting on his side at the battle of Methven, 19th June 1306. He afterwards obtained his liberty, and was with Robert in most of his encounters, particularly at the decisive victory of Bannockburn. He had from that monarch charters of the lands of Panbryde, Garuocis, Strathean, Essuly, Ballebrochy, Auchincrosse, Culpressache, in the county of Kincardine; Tulchfraser, in Stirlingshire, Alexandro Fraser, militi, dilecto et fideli nostro; Kinnaird in Aberdeenshire; Auchincarny, the lands and forest of Cragie, the thanedom of Cowie and Craiginging in Glascullache, in the county of Kincardine; and an annual furth of Pendriche, in Stirlingshire. He also was infeft in the barony of Broxmouth, by Thomas Randolph, Earl of Moray. He signed the famous letter to the pope, asserting the independence of Scotland, 1320. Alexander Frisel was one of the guarantees of a truce with the English, 1st June 1323. He held the appointment of great chamberlain of Scotland from 1325 to the death of Robert I. in 1329, and fell, valiantly fighting, at the battle of Duplin, 12th August 1332.

Caledonia, I. 553.

Dalr. Ann. II. 7.

Salton.

Robertson's Index, 1, 8, 12, 17, 18, 22. Reg. Mag. Sig. 17.

Fœdera, III. 1025. Crawf. Off. St. 274.

He married Lady Mary Bruce, second daughter of Robert, Earl of Carrick, sister of King Robert I., relict of Sir Niel Campbell of Lochow *. Robert granted a charter to Mary, wife of Alexander Fraser, knight, our dearest sister, and John Campbell her son, our nephew, of the lands forfeited by David, Earl of Atholl. She was dead before 22d September 1324, when the King granted a charter to Alexander Fraser, knight, of six acres of arable land, lying in the tenement of Achincarny, adjacent to our manor of Kincardine, to be held by the said Alexander, and the heirs legitimately procreated betwixt him and the deceased Mary Bruce his wife, our beloved sister, in unum liberum hostilagium, cum communi pastura thanagii nostri de Kincardine, cum libertate fodendi petas et turvas infra thanagium nostrum prædictum. By Lady Mary Bruce he had two sons,

Robertson's Index, 19.

Crawf. Off. St. 274.

1. *John*, who had a charter from King Robert I. of the thanedom of Aberbothnot, in Kincardineshire. He had a daughter, Margaret, married to Sir William Keith,

Robertson's Index, 18.

* Among the adherents of Robert Bruce imprisoned in 1306, was his sister Mary. Ordenez est qe Marie, suer a Robert de Brus jadis Conte de Carrik, soit envoe a Rokesburgh, por garder illueques, en chastel, en un kage. Fœdera, II. 1014. A letter from Edward II. to Henry de Bellomonte, constable of the castle of Roxburgh, 30th March 1310, orders him to deliver up Maria de Brus, prisoner, in exchange for Walter Comyn, a prisoner of the Scots. Ib. III. 204.

Salton.

great marischal of Scotland; their eldest son, John, had a daughter and heiress, Jean, married to Alexander, first Earl of Huntly; and the Duke of Gordon, in consequence of that alliance, carries the arms of Fraser in his atchievement.

2. *William.*

Robertson's Index, 60, 65.

IV. William Fraser, the second son, had from King David II. a charter to William Fraser and Margaret Murray, his spouse, of the thanedom of Durris, and thanedom of Collie, which last was Alexander Fraser his father's, with the lands of Eskyltuh, in the county of Kincardine. He had another charter of the thanedom of Durris. He was one of the party, who, under the Knight of Liddisdale, took the castle of Edinburgh by stratagem, 17th April 1341; and he was killed at the battle of Durham, 17th October 1346. He had two sons,

Dal. Acts. III. 108.

1. Sir *Alexander*,

2. *John*, who got from King Robert II. a charter, dated 18th June 1373, to John Fraser, son of the deceased William Fraser, knight, of the lands of Wester Essyntoly, in the county of Kincardine.

Reg. Mag. Sig. 99.

V. Sir Alexander Fraser of Cowie, the eldest son, was educated at the University of Oxford, and had a safe conduct to come into England for that purpose, to Alexander Frisale, cum octo sociis, 15th October 1366. He obtained from King David II. a charter, dated 4th September 1368, dilecto consanguineo nostro Alexandro Fraser, of the King's lands of the thanage of Durrys, in the county of Kincardine, in a free barony. He had from the same monarch, a grant of the office of sheriff of Aberdeen; signalized himself at the battle of Otterburn in 1388; had a charter of the lands of Little Drumquhendal, from Archibald, Earl of Douglas, in 1408, and died not long afterwards.

Foedera, VI. 533.

Reg. Mag. Sig. 58.

He married Lady Janet Ross, second daughter and coheiress of William, Earl of Ross, sister of Euphemia, Countess of Ross. The Countess and her husband, Walter de Lesley, knight, granted a charter, dilectis confratri et sorori nostris Alexandro Fraser, et Jonetæ Ross sponsæ suæ, and to the longest liver of them, of the lands of Auchinchagyle and Meiklefyntra, in the earldom of Buchan; the lands of Orkleton, in the lordship of Galloway; and an annualrent of L.18 sterling a-year, from the lands of Fairndonald, in Ross, in excambion and satisfaction for their share of the lands of Ross, dated 4th June 1735. By another charter, other parts of the earldom of Ross were granted to them; and the whole of these lands went under the name of the barony of Philorth. By her he had a son,

Crawf. Off. Sc. 278.

Salton.

Sir *William.*

He married, secondly, Elisabeth, daughter of Sir David de Hamilton of Cadyow, by whom he had another son,

Alexander, who had a charter, Alexandro Fraser filio naturali Alexandri Fraser de Colly et Durris, from his father and his wife Elisabeth, to him and his heirs, of the lands of Kinclonys, Balchary, and Balsachachy, in the barony of Durris, confirmed by King Robert III., 5th October 1400. He was ancestor of Sir Peter Fraser of Durris, whose daughter and heiress, Carey, carried that estate to her husband Charles, Earl of Peterborough and Monmouth.

Mag. Sig. L. iii. No. 72.

VI. Sir William Fraser of Philorth, the eldest son, got in 1408 a charter of confirmation from Archibald, Earl of Douglas, of the lands of Over and Nether Pittullie, carissimo consanguineo suo domino Willielmo Fraser, quæ terræ fuerunt domini Alexandri Fraser, militis, patris sui. He succeeded his father before 1413, when he sold the barony of Cowie to William Hay of Errol, constable of Scotland, reserving the liferent to his mother-in-law, Elisabeth Hamilton; and he died before 1441. He married Lady Mary, or Eleanor, Douglas, second daughter of Archibald, third Earl of Douglas, and by her had a daughter, *Agnes*, married in 1423, to Sir William Forbes of Kinnaldie, who got with her the barony of Pitsligo, and a son,

Penes dom. Salton. D.

Crawf. Off. Sc. 280.

VII. Sir Alexander Fraser of Philorth, who was knighted by James II., accompanied the Earl of Douglas to the jubilee at Rome, 1450; was served heir of Sir Alexander Fraser of Cowie and Durris, his grandfather, 14th April 1461; acquired the lands of Scatherly and Blyth, in the

Foedera. D.

Penes dom. Salton. D.

Salton.

barony of Kynedward, in 1469, and died 7th April 1482. He married Marjory, daughter of Gilbert Menzies of Findon, by whom he had two sons,

1. *Alexander*.

2. *James*, who got from his father the lands of Memsey, and was ancestor of the Frasers of Memsey.

Crawf. Off. Sc. 280.

VIII. ALEXANDER FRASER of Philorth, the eldest son, was served heir of his father, 8th May 1482. He married Lady Margaret Hay, second daughter of William, Earl of Errol, by whom he had two sons,

Retour Penes Dom. Salton. D.

1. *Alexander*, who succeeded his father, but died without issue, 9th July 1499.

2. Sir *William*.

IX. Sir WILLIAM FRASER of Philorth, the second son, was served heir of his brother, 10th December 1501; had a charter Willielmo Fraser de Philorth, militi, of the lands of Skattertie, in Aberdeenshire, 17th December 1505, and died at Paris 5th September 1513. He married Elisabeth, daughter of Sir Gilbert Keith of Innerugie, and by her, who died 10th February 1545, had a son,

Ibid. D.

Mag. Sig. L. xiv. No. 169.

X. ALEXANDER FRASER of Philorth, who was served heir of his father, 6th May 1516; had charters of the fishings within the bounds of the lands of Cairnbulg, Faithlie, Pitcarlie, and Cowburty, 4th December 1542; of the barony of Faithlie, 2d November 1546; of Newmuircroft and Kirktoun of Tyrie, 22d March 1549-50; of Meikle Crythtie, Pettalloch, &c. in Aberdeenshire, 4th August 1553; of Kinglass, in the same county, to him and Catherine Menzies, his wife, 12th October 1556; and of part of Creithmond, 27th May 1560. He died 12th April 1569. He married, first, Catherine Berkley, a daughter of the house of Gairntully; secondly, Catherine Menzies, but had no issue by the last. By the former, he had four sons,

Retour Penes dom. Salton. D.

Mag. Sig. L. xxviii. No. 373. L. xxi. No. 51, 462. L. xxxi. No. 125, 127, 353, 493.

1. *Alexander*.

2. *William*, ancestor of the Frasers of Techmurie.

3. *Thomas*, who had a charter to Thomas Fraser, son of Alexander Fraser of Philorth, of the lands of Strathechin, (Strichen) in Aberdeenshire, 11th May 1558. He had two daughters, his coheiresses.

Mag. Sig. L. xxxiii. No. 249.

Salton.

4. *John* Fraser, a man of learning, author of several treatises on philosophy. Abbot of Noyon or Compeigne, elected, in 1596, rector of the university of Paris, where he died 19th April 1609.

Crawf. Off. Sc. 284.

5. *James*, who is documented by a charter Jacobi Fraser patruo Alexandri Fraser de Philorth, of the lands of Skattertie, in Aberdeenshire, from his said nephew, grandson and heir of Alexander Fraser of Philorth, dated 20th January 1571-2.

Mag. Sig. L. xxvii. No. 49.

XI. ALEXANDER FRASER, the eldest son, had a charter to Alexander Fraser, son and heir apparent of Alexander Fraser of Philorth, and to Beatrix Keith, his wife, of the lands of Tiberti, in Banffshire, 6th May 1535, and died 30th November 1564. He married Lady Beatrix Keith, fifth daughter of William, third Earl Marischal, by whom he had a son,

Mag. Sig. L. xxv. No. 192.

XII. Sir ALEXANDER FRASER of Philorth, the eldest son, had a charter to Alexander Fraser, grandson and heir of Alexander Fraser of Philorth, and to Magdalen Ogilvy, his wife, of the lands of Pittaloquhais, in Aberdeenshire, from his grandfather, 29th October 1559. He had a charter of Kindrocht, 7th May 1569; was served heir of his grandfather, 28th March 1570; and the same year laid the foundation of the castle of Fraserburgh. He had charters of Kirktountyrie, Philorth, Tiberty, Inneraloquhy, Faithlie, Kindrocht, and other lands, from 1583 to 1601; got the town of Fraserburgh erected into a burgh of regality; advanced to King James VI. several sums of money about the period of his marriage; was knighted at the baptism of Prince Henry 1594; and died at Fraserburgh, 12th April 1623*. He married Magdalen, only daughter of Sir Walter Ogilvy of Dunlugus, by whom he had issue,

L. xxxiii. No. 304.

Retour Penes D. Salton. D.

In Pub. Arch.

Crawf. Off. Sc. 282.

1. Sir *Alexander*.

2. *Walter*, who died unmarried.

3. *Andrew* Fraser of Tyrie, of whom his nephew, Alexander Fraser of Philorth, was served heir in general, 17th December 1624.

* In Pinkerton's Scottish gallery, is a portrait of Sir Alexander Fraser of Fraserburgh and Philorth.

Salton.

4. *Thomas*, who wrote a manuscript history of his family, referred to by Crawford in his lives of the Officers of State.

Crawf. Off. St. 284.

1. *Isabel*, married to Patrick Cheyne of Esslemont.

2. *Margaret*, married to Hay of Ury.

3. *Elisabeth*, married to William Hay of Federet. All had issue.

XIII. Sir ALEXANDER FRASER of Philorth, the eldest son, married Margaret, eldest daughter of George seventh, Lord Abernethy of Salton, and had a charter to Alexander Fraser, apparent of Fraserburgh, and Margaret Abernethy, his wife, of Pittullie, and other lands, 23d March 1598. They had a son,

Mag. Sig. L. xlii. No. 28.

Sir *Alexander*; and two daughters; the eldest married to Forbes of Blackton, the second to Baird of Auchmedden.

He married, secondly, Isabel Gordon, daughter of Sir Robert Gordon of Lochinvar, sister of the first Viscount of Kenmure, by whom he had a son,

John Fraser of Pettullies, as appears from a charter of confirmation, dated 6th April 1625, to Isobel Gordon, wife of Alexander Fraser, apparent of Fraserburgh, and John Fraser, their son, of these lands. He died without issue.

Mag. Sig. L. ii. No. 3.

XIV. Sir ALEXANDER FRASER of Philorth, the eldest son, born in March 1604, had an education suitable to his quality, both at home and abroad; was served heir in general of Sir Alexander Fraser of Fraserburgh, knight, his father, and of Andrew Fraser of Tyrie, his uncle, 17th December 1624, and obtained a charter of the barony of Philorth, 15th March 1628. He had the command of a regiment in the expedition into England, to attempt the rescue of Charles I. 1648, advanced large sums to Charles II. when in Scotland, and accompanied him to the battle of Worcester 1651. On the death of his cousin, Alexander, Lord Abernethy of Salton, in 1669, he succeeded as heir of line; was, under the designation of Alexander Fraser, senior de Philorth, served heir de linea ex parte matris, of his grandfather, George, Lord Salton, 14th April 1670, and took on him that title and dignity, which was confirmed by King Charles II., by patent, dated at Whitehall, 11th July 1670; ratified in parliament on the 21st of the same month. He died 11th August 1693, in the 90th year of his age. He married, first, a daughter of William Forbes of Tolquhoun, by whom he had a daughter, married to Alexander Fraser of Techmurie; secondly, Elisabeth, daughter and heiress of Alexander Seton of Meldrum, by whom he had a son,

Inq. Ret. ix. 37.

Mag. Sig. L. iii. No. 26.

Inq. Ret. xxi. 1.

Salton.

XV. ALEXANDER, Master of SALTON, who died in November 1682. He married, first, Lady Anne Ker, eldest daughter of William, third Earl of Lothian; secondly, Lady Marian Cunningham, fourth daughter of William, eighth Earl of Glencairn, relict of James, first Earl of Findlater; she died 1661; thirdly, 5th April 1663, Sophia Erskine, second daughter of Alexander, Viscount Fentoun. By the two last he had no issue; by the first, he had two sons,

Lamont's Annals, MS.

1. *Alexander*, who died unmarried 1678.

2. *William*, eleventh Lord Salton.

XVI. WILLIAM, eleventh LORD SALTON, the only surviving son, born 21st November 1654, had a company of foot given him by Charles II., quitted the army 1682; succeeded his grandfather 1693; took the oaths and his seat in parliament, 9th May 1695; was a great promoter of the Darien expedition, and an opposer of the treaty of Union; and died 18th March 1715, in the 61st year of his age. His Lordship married Margaret, second daughter of Dr James Sharp, Archbishop of St Andrews, Primate of Scotland, and by her, who died at Edinburgh, 29th August 1734, had issue,

1. *Alexander*, twelfth Lord Salton.

2. Hon. *William* Fraser, born at Philorth, 19th November 1691; became a member of the faculty of advocates 1713; purchased the estate of Balgownie, in Aberdeenshire, from Lord Gray, in 1721, and called it Fraserfield. He was chosen member of parliament for Kintore, &c. at the general election 1722, but found not duly elected, and died 23d March 1727, in the 36th year of his age. He married, 25th October 1724, Lady Katherine Anne Erskine, born 20th November 1704, eldest daughter of David, fourth Earl of Buchan, and by her, who died 5th March 1733, æta. 29, had an only son, William Fraser of

Salton.

Fraserfield, born at Edinburgh, 28th September 1725, who was an officer in the the army, which he quitted 1754, and died at Fraserfield, 31st October 1788, æta. 64. He married, at Aberdeen, 5th January 1752, Rachel, daughter of the Rev. Hugh Kennedy of Rotterdam, and by her, who died at Tillydron, 3d June 1800, æta. 70, had issue; 1. William Fraser of Fraserfield, born 14th December 1752, died unmarried at Fraserfield, 25th October 1789, æta. 37. 2. Margaret, born 24th April 1754, married at Aberdeen, 15th October 1771, to her cousin, David Steuart, Earl of Buchan. 3. Katherine Anne, born 22d February 1756, married at Aberdeen, 27th March 1777, to Duncan Forbes Mitchell of Thainstoun, brother of Sir William Forbes of Craigievar, Bart. and by him, who died 6th October 1796, had nine children, viz. Rachel, born 10th June 1778, married 19th February 1797, to Robert Eaton Scott, professor of philosophy in King's College, Aberdeen; Arthur Andrew Forbes Mitchell of Thainstoun, born 26th February 1780, in the civil service of the East India Company, killed in a duel at Bombay, 3d May 1801, æta. 22; William Forbes Mitchell of Thainstoun, born 31st August 1781, an officer in the royal navy, who died at Thainstoun, 11th May 1808, æta. 26, unmarried; Duncan Forbes Mitchell of Thainstoun, born 13th April 1784, who was settled at Prince of Wales Island, and died at London, 7th March 1812, æta. 28; John, born 13th March 1786, a merchant at Bombay; Alexander, born 13th October 1788, settled in Brazil; Henry David, born 13th November 1790; Margaret Sarah, born 26th October 1792; Mansfield, a posthumous son, born 9th November 1796. 4. Hugh, born 10th February 1756, died 3d April 1759. 5. Ann Alexia, born 8th March 1758, died 5th April 1759. 6. Rachel, born 14th September 1759. 7. Alexander Fraser of Fraserfield, born 8th January 1761, was in the East India Company's service, succeeded his brother 1789, and died 18th July 1807, in his 47th year. He married, 20th April 1795, Mary Christina, eldest daughter of George Moir of Scotstoun, and by her had four daughters, Margaret Fraser of Fraserfield, born 6th July 1796; Rachel, born 2d March 1798; Katherine Isabella, born 2d November 1799; Mary, born 20th January 1802. 8. Henry David, born 27th April 1762, was an officer in the British army, and a brigadier-general in the Portuguese service, and died at Cupar, in August 1810, in his 49th year. He married, 6th October 1800, Mary Christina, daughter of John Forbes of Skellater, who died at Rio de Janeiro, 8th April 1808, æta. 78, senior general officer in the service of the crown of Portugal, governor of Rio de Janeiro, counsellor of war, general of cavalry, and knight grand cross of the order of Avis in Portugal, and of Charles III. in Spain; and by her had five children: William John, born 11th June 1801; Sophia Maria Jane, born 8th December 1802; John Henry David, born 27th December 1803; Margaret Alexia, born 11th June 1805; Mary Anne, born 1st February 1807. 9. Kennedy, born 20th June 1763. 10. Hugh Fraser, M. A. born 25th September 1764, rector of St Martin's, Ludgate, London, to which he was instituted 7th May 1796, and of Woolwich in Kent; he married 25th June 1803, Miss Lloyd of Kensington, and has a son, Erskine William, born 11th January 1806. 11. Erskine Fraser of Woodhill, born 25d June 1766, was an officer of the 71st regiment of foot, in America, 1781, afterwards colonel of the 109th regiment of foot, and died at Aberdeen, 21st January 1804, æta. 38. He married, 3d May 1794, Miss Elisabeth Forbes of Ballogie, and had two children; Rachel, born 4th May 1795, died 25th October 1797, and William Fraser of Woodhill, born 21st November 1796.

Salton.

3. Hon. *James* Fraser of Lonmay, who married Lady Eleanor Lindsay, third daughter of Colin, third Earl of Balcarras; she died 7th August 1735; their only child, William Fraser, born about 1729, succeeded his father, was a cornet in Lord Stair's dragoons, and died abroad with his regiment, under age and unmarried.

1. Hon. *Helen* Fraser, married to Sir James Gordon of Park, Bart. and had three children. 1. Sir William Gordon of Park, Bart. who, engaging in the rebellion 1745, was attainted and forfeited; had the commission of lieutenant-colonel in the French service, and died at Douay, 3d June 1761; he married, in 1745, Lady Janet Duff, se-

cond daughter of William, first Earl of Fife, by whom he had two sons, both born abroad since his attainder. 2. Captain John Gordon of Park, an officer in Paulet's marines, who, after his brother's death, claimed the estate of Park, as it was only his brother's life interest therein that was forfeited, and his sons were aliens, of course not inheritable. The Court of Session decided against him, but, on an appeal, the House of Lords reversed the judgment of that court, and found the estate to belong to him, 4th February 1754. He died 1781, and was succeeded in the estate of Park by his nephew Ernest, son of his brother-consanguinean James Gordon of Cobardie. Sir Ernest Gordon died at Park, 5th November 1800; his only son Sir John Gordon of Park, an officer in the army, died unmarried at Rothbury, 10th June 1804, when the estate of Park went to Lachlan Duff, W. S. 3. Helen, married to Duff of Cowbin; her son, Lachlan Duff, succeeded to the estate of Park 1804, and took the name of Gordon; he married, 14th September 1781, Rachel, second daughter of Roger Hog of Newliston, and had issue, and died at Park, 14th May 1808.

2. Hon. *Henriet* Fraser, married to John Gordon of Kinnellar, and died at Fraserburgh, 26th February 1751, leaving issue.

3. Hon. *Mary* Fraser, married to William Dalmahoy of Ravelrig, and had issue.

4. Hon. *Isabel* Fraser, married to the Rev. Mr Brown, minister of Belhelvie.

XVII. ALEXANDER, twelfth Lord SALTON, the eldest son, was educated at the university of Oxford, as appears from a letter of Sir Robert Sibbald to Mr Lhuyd, 10th July 1703, recommending to him "the Master of Salton, son to my good "friend the Lord Salton, who is to pass "some time of his education at Oxford; "the youth is ingenuous and well natured, "and I hope shall be an honour to his "country." His Lordship succeeded his father 1716, and died at Philorth, 24th July 1748. He married Lady Mary Gordon, born 29th March 1689, third daughter of George, first Earl of Aberdeen, high-chancellor of Scotland, and by her, who died at Kinnaird's Head, 10th February 1753, æta. 71, had issue,

1. *Alexander*, thirteenth Lord Salton.

2. Hon. *William* Fraser, a member of the Faculty of Advocates, who died without issue at Philorth 22d November 1748.

3. *George*, fourteenth Lord Salton.

1. Hon. *Anne* Fraser, died at Brock Lodge, Fraserburgh, 18th April 1807, unmarried.

2. Hon. *Sophia* Fraser, died unmarried at Fraserburgh, 4th April 1784.

XVIII. ALEXANDER, thirteenth Lord SALTON, the eldest son, succeeded his father 1748, and died unmarried at Philorth, 10th October 1751, æta. 41. His brother,

XVIII. GEORGE, fourteenth Lord SALTON, born 1720, was a lieutenant of marines, succeeded to the title 1751, and died at Philorth, 30th August 1781, æta. 61. He married at Philorth, 5th June 1756, his cousin Helen, daughter of John Gordon of Kinnellar, and by her, who dying at Edinburgh, 13th September 1800, æta. 70, was buried in the abbey church of Holyroodhouse, where is a monument to her memory, had issue,

1. *Alexander*, fifteenth Lord Salton.

2. Hon. *John* Fraser, died at Philorth, 6th June 1772, æta. 14.

3. Hon. *George* Fraser, born 1763, captain of a company in the 59th regiment of foot, who died at Nevis, 8th January 1799, æta. 36, unmarried.

1. Hon. *Henriet* Fraser.

2. Hon. *Mary* Fraser, died at Edinburgh, 12th November 1809, unmarried.

3. Hon. *Eleonora* Fraser, born 1766, married, first, 29th August 1786, to Sir George Ramsay of Bamff, Bart., who was mortally wounded in a duel by Captain Macrae, near Musselburgh, of which he died 16th April 1790; secondly, at Hatton in Stirlingshire, 6th July 1792, to Lieutenant-General Duncan Campbell of Lochnell in Argyllshire, without issue.

XIX. ALEXANDER, fifteenth Lord SALTON, the eldest son, born at Philorth, 20th July 1757, was admitted a member of the Faculty of Advocates 1780, and published "Thoughts on the disqualifications of

Salton.

"the eldest sons of the peers of Scotland "to sit from that country in parliament, "with observations on the civil polity of "the kingdom." He died at Baldwins in Kent, 13th September 1793, in his 37th year. He married, 9th June 1784, Marjory, only daughter of Simon Fraser of King's Arms Yard, London, an East India Director; her only brother Simon died in Dominica, 6th August 1793. They had issue,

1. *Alexander George*, sixteenth Lord Salton.

2. Hon. *Simon* Fraser, born at Philorth, 31st July 1787, a banker in London, a gentleman of the most estimable character, who died unmarried at London, 10th February 1811, in his 24th year.

3. Hon. *Margaret* Fraser, born 29th August 1789.

4. Hon. *William* Fraser, born at Philorth, 12th October 1791.

5. Hon. *Eleonora* Fraser, born at Baldwins, 13th June 1793.

XX. ALEXANDER GEORGE, sixteenth Lord SALTON, born at London, 22d April 1785; succeeded his father 1793; was an officer in the 42d regiment of foot, now in the 1st regiment of foot-guards, of which he has the commission of lieutenant, and was chosen one of the sixteen representatives of the Scotish peerage at the general election 1807. Salton.

TITLE.—Alexander George Fraser, Lord Salton.

CREATION.—Lord Salton, 28th June 1445.

ARMS.—Quarterly: 1st and 4th, Azure, three cinquefoils, argent, for Fraser. 2d, Or, a lion rampant, gules, debruised with a ribbon, sable, for Abernethy. 3d, Argent, three piles, gules, for Wishart.

CREST.—An ostrich with a horse-shoe in its beak, argent.

SUPPORTERS.—Two angels.

MOTTO.—*In God is all.*

CHIEF SEAT.—Philorth, in the county of Aberdeen.

GRANT, EARL OF SEAFIELD.

Seafield.

ON the death of James, Earl of Findlater and Seafield, at Dresden, 5th October 1811, in his 62d year, the titles of Earl of Seafield, Viscount of Seafield and Reidhaven, Lord Ogilvy of Deskford and Cullen, it is understood, devolved on Sir Lewis Alexander Grant of Grant, baronet, the patent being to the first Earl, et hæredes masculos de ejus corpore, quibus deficien. alios hæredes tallia sibi in terris suis baroniis et statu succedend. The heirs male of the body of the first Earl have failed; and his lands and baronies went, in terms of the entail, to Sir Lewis Alexander Grant, who inherited the estate of Grant on the death of his father Sir James Grant, 18th February 1811. Seafield.

MACKENZIE, EARL OF SEAFORTH.

Seaforth.

THIS family is descended from the potent house of Fitzgerald in Ireland, a younger son of whom,

I. CALIN, was among those who signalised themselves at the battle of Largs, on the part of Alexander III., King of Scotland, 1263, when the Norwegians were defeated. He there displayed so much valour, that the King bestowed on him the territory of Kintail in Ross-shire, pro bono et fideli servitio, tam in bello quam in pace, to be held by him in a free barony, by charter dated at Kincardine, 9th January 1266. According to Crawford, this charter of Kintail, granted Colino Hybernico, was in the hands of the late Earl of Seaforth, and was communicated to him by the Earl of Cromarty, who wrote an essay on the family of the Mackenzies. It is said that Calin having at a hunting match killed a stag that was making towards the King, had a stag's head assigned to him for his armorial bearing, still the cognizance of the family. He died at the castle of Island Donan, and was buried in the monastery of Icolmkill in 1278. He is stated, on the authority in the margin, to have married a daughter of Walter, high steward of Scotland. His son,

Crawf. Peer. 39.

Mackenzie's History of the Family, 31. D.

II. KENNETH, married, according to the same author, Morba Macdowal, daughter of Alexander, Lord of Lorn, and dying in 1304, was succeeded by his son,

Ibid.

III. KENNETH MACKENNETH, from whom his descendants took the name of Mackenneth, now softened into Mackenzie. He joined King Robert I., was at the battle of Bannockburn 1314, and died in 1378. He is stated, according to the same author, to have married Margaret, daughter of David de Strathbogie, Earl of Atholl. His son,

Ibid.

IV. KENNETH MACKENZIE of Kintail, according to Dr Mackenzie, was murdered at Perth at the instigation of the Earl of Ross, when he was going to join King David II. on his expedition to England 1346. This may be doubted, the person killed by the Earl of Ross at Perth in 1346, being Rainald of the Isles. Kenneth Mackenzie married Fynvola, daughter of Roderick Macleod of Lewes, and had a son,

Seaforth.

Dair. Ann. II. 234.

V. MURDOCH MACKENZIE of Kintail, who, from his swarthy complexion, was called Murdoch Dow. He had a charter of confirmation of all his lands from King David II., in 1360, being designed filius Kennethi, and he died in 1375. He married Isabel, daughter of Murdoch Macaula, with whom he got the lands of Lochbroom, and by her had a son *,

Crawf. Peer. 436.

VI. MURDOCH MACKENZIE of Kintail, who had a charter from Robert II. in 1380, confirming all his lands to him and his heirs. He died in 1416, leaving by his wife Fynvola, daughter of Macleod of Harris, an infant son,

Is Arch. Fam. D.

VII. ALEXANDER MACKENZIE of Kintail, who was presented to James I. when he made an expedition to the north in 1426, and by the King's orders was sent for his education to Perth, near the court. He was instrumental in crushing the rebellion of the Earl of Ross, on which account he obtained from James III. a grant of Strathconnan, Strathgarvie, and other lands belonging to the Earl, in 1477, and he died in 1488. He married, first, Lady Agnes Campbell, sixth daughter of Colin, first Earl of Argyll, by whom he had a son,

Sir *Kenneth*.

Secondly, Margaret Macdougal, a daughter of the house of Lorn, by whom he had two sons,

Mackenzie's Hist. of the Family. D.

Is Arch. Fam. D.

1. *Hector*, who had a grant of the ba-

Doug. Bar. 392, 394.

* He had also three other sons, Hector, Duncan, and Alexander, of whom several families of the name of Mackenzie are descended.

Seaforth.

rony of Gareloch in Ross-shire in 1494, ancestor of Sir Hector Mackenzie of Gareloch, baronet, and of several other families of that name.

Doug. Bar. 395.

2. *Duncan* Mackenzie of Hiltoun, ancestor of several families of that name.

VIII. Sir KENNETH MACKENZIE of Kintail, the eldest son, was knighted by King James IV., contributed greatly to the civilization of the northern parts, and died about 1506 or 1507. He married, first, a sister of the last Earl of Ross, whom he divorced, and by her had a son,

Mackenzie's History. D.

Kenneth, who, on occasion of some tumults in the north, was confined in Stirling Castle, from whence he escaped, but was retaken and put to death.

He married, secondly, Agnes, daughter of Hugh, Lord Lovat, and had issue,

1. *John.*

2. *Alexander* Mackenzie of Davochmaluak, ancestor of several families of that name.

Dougl. Bar. 402.

3. *Roderick*, progenitor of the Mackenzies of Achilty, Fairburn, and other families of that name.

4. *Kenneth*, from whom descend the Mackenzies of Suddy, Ord, Corrovalzie, Highfield, Inverlal, Little Findon, Scatwell, and other families of that name.

1. *Agnes*, married to Roderick Macleod of Lewis.

2. *Catherine*, married to Hector Monro of Foulis.

IX. JOHN MACKENZIE of Kintail, the eldest son, had a charter of Kintail, Eleandounan, and other lands, 25th February 1508. He had charters of Killquhillidrum, &c. in Ross-shire, 25th September 1528; of Kinlothbanquhare, Eleandounan, &c. in Inverness-shire, 30th August 1538; of the King's lands of Meiklebrawan, in the same county, and of Monar, &c. in Ross-shire, 15th September and 22d October 1541; of Lochbryne, in excambion for Fotherty, to him and Elisabeth Grant his wife, 13th September 1543, and of Culcaloyd and Drym, in Ross-shire, to himself, 13th July 1556. He died soon afterwards, leaving a son,

In Pub. Arch. D.

Mag. Sig. L. xxii. No. 250. L. xxvi. No. 155. L. xxviii. No. 81, 417. L. xxix. No. 93. L. xxxii. No. 398.

X. KENNETH MACKENZIE of Kintail, who had a charter of part of the lordship of Kintail and Meiklebraan, 25th April 1543, Cunico Mackenzie, filio et hæredi apparenti Joannis Mackenzie de Kintail, and to Isobel Stewart his wife. He had another charter of Lochalsh, dated 24th November 1554, Kenneto alias Kenzeol Mackenzie de Brohan, filio et hæredi apparenti Joannis Mackenzie de Kintail; and he died 6th June 1568. He married Lady Isabel Stewart, daughter of John, Earl of Atholl, by whom he had issue,

Seaforth.

Mag. Sig. L. xxviii. No. 324. L. xxxii. No. 211.

1. *Colin.*

2. *Roderick* Mackenzie of Redcastle, whose descendants are treated of in Douglas's Baronage.

Doug. Bar. 398 to 400.

1. *Janet*, married, first, to Alexander Macdonell of Glengary; secondly, to Alexander Chisholm of Comar.

2. *Agnes*, married to Lachlan Macintosh of Dunachtane.

3. *Margaret*, who had a charter of the lands of Balnegall, in Inverness-shire, to Margaret Mackenzie, daughter of Kenneth Mackenzie of Brawne, 24th November 1556, from Walter Innes, son and heir apparent of John Innes of Innerbiaky, in implement of their marriage contract.

Mag. Sig. L. xxxi. No. 349.

4. ———, married to David Ross of Balnagowan.

5. *Elisabeth*, married to Walter Urquhart of Cromarty.

6. *Marjory*, married to Robert Monro of Foulis, as appears from a charter of Meiklefindon in Ross-shire, granted by him, 11th July 1574, to Marjory, sister of Colin Mackenzie of Kintail.

L. xxxiv. No. 113.

XI. COLIN MACKENZIE of Kintail, the eldest son, was engaged on the part of Queen Mary at the battle of Langside, for which he obtained a remission, and was a privy-councillor to King James VI. He was served heir of his father in several lands in the caridom of Ross, October 1574, and had a charter to Colin Mackenzie of Kintail, and Barbara Grant his wife, of Lochbroyne, and other lands in Invernessshire, from John Grant of Fruquhy, 6th November 1578. He had also charters of Kirktoun of Foddertie, and other lands in the counties of Ross and Inverness, 5th February 1582-3, and 4th February 1583-4; of the barony of Assint, 20th January

In Arch. Fam. D.

Inq. Ret. i. 70.

Mag. Sig. L. xxxiv. No. 112.

L. xxxv. No. 663, 847 L. xxxviii. N. 150.

Seaforth.

1591-2, and he died 14th June 1594. He married, first, Barbara, eldest daughter of John Grant of Grant, by whom he had issue,

1. *Kenneth.*

2. Sir *Roderick* Mackenzie of Tarbat, ancestor of the Earls of Cromarty.

3. *Colin*, ancestor of the Mackenzies of Kennock and Pitlundie.

4. *Alexander*, who had a charter to him and Jean Fraser his wife, of Kilcoy and other lands, 29th January 1618, ancestor of the Mackenzies of Kilcoy, and other families of that name.

Dong. Bar. 397, 398.

1. *Margaret*, married to Simon, seventh Lord Lovat.

2. ———, married to Lachlan Maclean of Dowart.

3. *Mary*, married to Donald Macdonald of Sleat, without issue.

He married, secondly, Mary, eldest daughter of Roderick Mackenzie of Davochmaluak, by whom he had a son,

Crawf. Peer. 436.

Alexander, from whom the Mackenzies of Applecross, Coul, Delvin, Assint, and other families of that name are descended.

XII. KENNETH MACKENZIE of Kintail, the eldest son, had charters of Little Scattell and other lands, 27th February 1594-5; of the barony of Pluscardine, of new united into a barony and regality, of the same date; of the church lands of Cullicudden, &c. with the office of constable of the bishoprick of Ross, 27th March 1595; of the manor of Pluscardine, to him and Isobel Ogilvy his wife, 12th March 1607; of the barony of Lochailsche, including the castle of Strome, the lands of Lochailsche, Lochcarroun, and Lewis, 17th March 1607, and of Incheroric and other lands, 15th April 1608. He was created a peer, by the title of Lord Mackenzie of Kintail, by patent dated 19th November 1609, had charters to Kenneth, Lord Mackenzie of Kintail, of the ecclesiastical lands of Cullicudden, 5th June 1610, and of the barony of Lewis, 20th July 1610; and he died in March 1611. He married, first, Anne, daughter of George Ross of Balnagowan, and by her had issue,

Mag. Sig. L. xl. No. 195, 222. L. xli. No. 53. L. xliv. No. 406, 407. L. xlv. No. 169. L. xlvi. No. 169, 318.

1. *Colin*, second Lord Kintail.

2. Hon. *John* Mackenzie of Lochslyne, who married Isabel, eldest daughter of

Alexander Mackenzie of Gareloch, by whom he had a daughter, married to Sir Norman Macleod of Bernera, from whom descended John Macleod of Muiravonside.

Seaforth. Contr. 1641. Penes Muiravonside. D.

1. Hon. *Barbara* Mackenzie, married to Donald, first Lord Reay, and had issue.

2. Hon. *Janet* Mackenzie, married to Sir Donald Macdonald of Sleat, and had issue.

His Lordship married, secondly, Isabel, daughter of Sir Gilbert Ogilvy of Pourie, and by her, who took to her second husband the Hon. Sir John Seton of Barns, and died in September 1618, had issue,

1. Hon. *Alexander* Mackenzie, who died in 1614; his brother George was served heir of him in the lands of Loganeshauch, in the parish of Elgin, 9th December 1636.

Inq. Ret. xv. 105.

2. *George*, second Earl of Seaforth.

3. Hon. *Thomas* Mackenzie of Pluscardine, who had a charter, to Thomas Mackenzie, brother-german of the deceased George, Earl of Seaforth, and to Jean Grant his wife, of the barony of Pluscardine, 25th July 1636. He had another charter of Auchmadies in Banffshire, 18th December 1643. Colin Mackenzie of Pluscardine was served heir, and heir male of Thomas his father in his estates in the counties of Banff and Elgin, 6th and 13th May 1687.

Mag. Sig. L. Ir. No. 230, 319.

Inq. Ret. xxxix. 75. xl. 292.

4. Hon. *Simon* Mackenzie of Lochslyne, who married Elisabeth, daughter of Peter Bruce, D. D. principal of St Leonard's College, St Andrews, and had five sons; 1. Sir George. 2. Simon, who died before 1689, leaving a son, Simon. 3. Colin, a member of the Faculty of Advocates, and one of the commissaries of Edinburgh, who married, 29th March 1677, Helen, fourth daughter of John Clerk of Pennycuick, without issue. 4. Thomas. 5. Alexander. Sir George Mackenzie of Rosehaugh, the eldest son, born at Dundee 1636; studied three years at Bourges; was admitted a member of the Faculty of Advocates, 18th January 1659; held the office of King's advocate from 1666 to 1686, when he was displaced for not promoting the views of King James VII. for the introduction of popery; was restored 1688, dismissed at the revolution, and retired to England, resolving to spend his days at Oxford.

Seaforth. where he arrived in September 1689. In a congregation of the regents of the university, he was admitted to study in the public library, 2d June 1690. Next spring he went to London, and died in St James's Street, Westminster, 8th May 1691. His body was carried to Scotland, and deposited, 26th June, in his mausoleum in the Grayfriars church-yard. His works in law and general literature were published in two volumes folio in 1716, under this title, "The Works of that eminent and "learned lawyer Sir George Mackenzie "of Rosehaugh, advocate to King Charles "II. and to King James VII., with "many learned treatises of his, never be-"fore published." He married, first, Elisabeth, daughter of John Dickson of Hartree, a lord of session, by whom he had, 1. Agnes, born 2d January 1663, married to James, first Earl of Bute, and had issue; 2. John, born 15th April 1664, died young; 3. Simon, born 11th August 1665, died young; 4. Elisabeth, born 24th October 1667, married, first, to Archibald Cockburn, younger of Langton, by whom she had Margaret, born 17th January 1685; George, born 10th June 1686, died young; Sir Archibald Cockburn of Langton, born 14th November 1687, who died unmarried at London in January 1710, æta. 23; and Elisabeth, born 18th June 1689;—secondly, to the Hon. Sir James Mackenzie of Roystoun, a lord of session and justiciary, third son of George first Earl of Cromarty, by whom she had two daughters, Anne, married to Sir William Dick of Prestonfield, baronet, and Elisabeth, married to Sir John Stewart of Grandtully, baronet, and one son, George Mackenzie, born 18th October 1708, who died without issue, 15th May 1744, æta. 36; 5. George, born 8th August 1669, died young. Sir George Mackenzie married, secondly, 14th January 1670, Margaret, daughter of Halyburton of Pitcur, and by her, who married, secondly, Roderick Mackenzie of Prestonhall, a lord of session, brother of the first Earl of Cromarty, had, 6. Jean, born 4th April 1671; 7. Margaret, born 27th July 1672; 8. James, born 8th October 1674, died young; and 9. George Mackenzie of Rosehaugh, who was served heir of his father 9th November 1691, and died without issue in October 1707. On his death, the succession to Sir George Mackenzie's extensive property became a subject of keen litigation, he having settled his estates, in failure of heirs male of his body, on the second son of Agnes Mackenzie, his eldest daughter, and the heirs male of his body; which failing, to her other younger sons in succession, and the heirs male of their bodies; which failing, to the second and younger sons in succession, of Elisabeth Mackenzie, his second daughter, and the heirs male of their bodies, with other remainders. The cause has been already mentioned, Vol. I. page 285, note, where it will be seen that it was finally decided in favour of the Earl of Bute, only son of Agnes Mackenzie; and his Lordship's grandson, the Hon. James Archibald Stuart Wortley Mackenzie, is now in possession of the Rosehaugh estate, and other extensive property of Sir George Mackenzie.

Edin. Reg.

Seaforth.

Daughter, Hon. *Sibylla* Mackenzie, married to John Macleod of Macleod.

XIII. Colin, second Lord Kintail, the eldest son, was served heir of his father, 23d May 1615, and heir male of Colin his grandfather, 15th June 1619, had a charter of Balmungie, Allangreig, and other lands, 4th February 1623 *, and was created Earl of Seaforth, by patent dated at Theobalds, 3d December *1623*, to him and his heirs male. He had a charter to Colin, Earl of Seaforth, of the lands of Moydart and Arrasack, 13th March 1627, and he died 15th April 1633. He married Lady Margaret Seton, born 8th August 1599, third daughter of Alexander, first Earl of Dunfermline, high-chancellor of Scotland, by whom he had two daughters,

Inq. Ret. vi. 74. vii. 280.

Mag. Sig. L. i. No. 145, 220. L. ii. No. 178.

1. Lady *Anne*, married, first, to Alexander, second Earl of Balcarres, and had issue; secondly, 28th January 1670, to Archibald, ninth Earl of Argyll, without issue.

2. Lady *Jane*, married, first, to John, Master of Berriedale, and was mother of George, sixth Earl of Caithness; secondly, to Alexander, first Lord Duffus; had three

* In the public register is a charter to Kenneth, Lord Kintail, de officio Mari infra comitatum de Ross, et vicecomitatum de Inverness, 16th March 1624, probably a confirmation of a charter of date preceding March 1611. Mag. Sig. L. i. No. 322.

Seaforth.

sons to her first, four to her second husband, and died in child-bed, 31st March 1648. Lady Anne and Lady Jean Mackenzie were served heirs-portioners of their father Colin, Earl of Seaforth, 29th November 1636, and ult. Februarii 1637. In these retours Lady Anne is placed first, indicating that she was the eldest daughter. The titles devolved on his brother,

Inq. Ret. vii. 219.

XIII. GEORGE, second Earl of SEAFORTH, who was served heir male of his father Kenneth, Lord Mackeinezie of Kintaill, in the lands and barony of Pluscarden, 14th January 1620, and of his brother Colin, 24th May 1633, and had charters of Balmungie and Avache, 18th July 1635; of Rasay, 18th February 1637; of the barony of Lewis, 13th March 1637; and of Lochalsh, 4th July 1642. He joined the association in support of Charles I. at Cumbernauld, in 1641, and entered into a confederacy for preserving the national peace, 1646. He was excommunicated by the General Assembly in June that year, for joining Montrose and adhering to him. After the execution of the King he repaired to Holland, and was graciously received by Charles II., who nominated him principal secretary of state for Scotland, but he died soon afterwards, in 1651. His Lordship married Barbara, eldest daughter of Arthur, ninth Lord Forbes, by whom he had issue,

Mag. Sig. I. iv. No. 133, 309, 395. I. lvii. No. 211.

1. *Kenneth*, third Earl of Seaforth.

2. Hon. *Colin* Mackenzie, who married Miss Jean Laurie, by whom he had a daughter, Barbara, married, contract dated 7th April 1686, to Patrick Oliphant of Bachilton, and a son, George Mackenzie, M. D. fellow of the royal college of physicians in Edinburgh, born 10th December 1669, author of the Lives and Characters of the most eminent Writers of the Scots nation, in three volumes folio.

1. Lady *Mary*, married to John, ninth Earl of Marr, and had issue, and died in May 1668.

Contr. penes E. Cuithness.

2. Lady *Margaret*, married, contract dated 4th October 1648, to Sir William Sinclair of Mey, baronet, and had issue.

XIV. KENNETH, third Earl of SEAFORTH, the eldest son, was excepted out of Cromwell's act of grace and pardon, 1654, and his estate forfeited, without any provision being allowed out of it for his wife and family, and he was imprisoned till the restoration. He had a commission of the office of sheriff of Ross, 23d April 1662, renewed to him and Kenneth his eldest son, 31st July 1675, and he died in December 1678. He married Isabel, daughter of Sir John Mackenzie of Tarbat, baronet, sister of George, first Earl of Cromarty, by whom he had issue,

Seaforth.

1. *Kenneth*, fourth Earl of Seaforth.

2. Hon. *John* Mackenzie of Assint.

1. Lady *Margaret*, married to James, second Lord Duffus, and had issue.

2. Lady *Anne*, died unmarried at Edinburgh, 12th November 1734.

3. Lady *Isabel*, married, first, to Roderick Macleod of Macleod; secondly, to Sir Duncan Campbell of Lochnell.

4. Lady *Mary*, married to Alexander Macdonnell of Glengarry, and had issue.

XV. KENNETH, fourth Earl of SEAFORTH, the eldest son, succeeded his father 1678, was served heir male of Kenneth, Lord Mackenzie of Kintail, his great grandfather, in lands in the lordship of Ardmannoch and earldom of Ross, 1st March 1681; was nominated one of the knights of the Thistle, on the revival of that order, 1687, and sworn a privy-councillor to King James VII. He followed that monarch to France at the revolution; attended him to Ireland; was by him created Marquis of Seaforth, and died at Paris in January 1701. He married Lady Frances Herbert, second daughter of William, Marquis of Powis (created Duke of Powis by King James after his abdication), by Lady Elisabeth Somerset, daughter of Edward, Marquis of Worcester, and by her, who died at Paris, 16th December 1732, had issue,

Inq. Ret. xxxv. 232.

1. *William*, fifth Earl of Seaforth.

2. Hon. Colonel *Alexander* Mackenzie.

Daughter, Lady *Mary*, married to John Caryl, Esq. and had issue.

XVI. WILLIAM, fifth Earl of SEAFORTH, the eldest son, engaged in the rebellion 1715, for which he was attainted

Seaforth. by act of Parliament, and his estates in England and Scotland forfeited to the crown. He escaped to the Continent; landed in Kintail with a party of Spaniards in April 1719; was dangerously wounded at the battle of Glensheal that year, but, being carried off by his followers, found means to get abroad, along with the Marquis of Tullibardine, and Earl Marischall. By letters-patent dated 12th July 1726, King George I. was pleased to discharge him from imprisonment or the execution of his person on his attainder, and King George II. made him a grant of the arrears of feu-duties due to the crown out of his forfeited estate. An act of Parliament passed, in 1733, to enable William Mackenzie, late Earl of Seaforth, to sue or maintain any action or suit notwithstanding his attainder, and to remove any disability in him by reason of his said attainder, to take or inherit any real or personal estate that may or shall hereafter descend to him. He died in the island of Lewis, 8th January 1740. He married, 22d April 1715, Mary, only daughter and heiress of Nicholas Kennet of Coxhow in Northumberland, and by her, who died at Paris in August 1739, had issue,

1. *Kenneth*, Lord Fortrose.

2. Hon. *Ronald* Mackenzie, who died unmarried.

3. Hon. *Nicol* Mackenzie, who died unmarried,

Daughter, Lady *Frances*, married at Edinburgh, 11th March 1744, to the Hon. John Gordon of Kenmore, and had issue, and died 7th January 1796.

XVII. KENNETH, Lord FORTROSE, the eldest son, was chosen member of Parliament for the boroughs of Inverness, &c. 1741; chosen for the county of Ross 1747, and 1754; manifested the utmost zeal for the support of government in the rebellion 1745; and dying at London, 19th October 1761, was buried in Westminster Abbey. He married, 11th September 1741, Lady Mary Stewart, eldest daughter of Alexander, sixth Earl of Galloway, and by her, who dying at London, 18th April 1751, was buried at Kensington, where is a monument to her memory, had a son,

Kenneth; and six daughters.

1. *Margaret*, married 4th June 1785, to William Webb, Esq. of London. Seaforth.

2. *Mary*, married to Henry Howard, Esq. and has a son, Major-General Kenneth Alexander Howard, presumptive heir of the barony of Howard of Effingham, now serving in Portugal, in the army of Lord Wellington.

3. *Agnes*, married to J. Douglas, Esq. and had issue.

4. *Catherine*, married, 1st March 1773, to Thomas Griffin Tarpley, Esq.

5. *Frances*, married to Joseph Wall, Esq.

6. *Euphemia*, married, 2d April 1771, to William Stewart, of Castle-Stewart, M. P. for the county of Wigton, who died at Newton-Douglas, 8th October 1797.

XVIII. KENNETH MACKENZIE, the only son, born at Edinburgh 15th January 1744, was created Baron of Ardelve, in the county of Wicklow, and Viscount of Fortrose, in Ireland, in 1766, and advanced to the dignity of Earl of Seaforth, also in Ireland, in 1771. He raised a regiment of Highlanders, the 78th foot, of which he was appointed colonel, 29th December 1777, and accompanying them to the East Indies, died on his passage in August 1781. He married, 7th October 1765, Lady Caroline Stanhope, eldest daughter of William, second Earl of Harrington, and by her, who died at London 9th February 1767, æta. 20, and was buried at Kensington, had one daughter,

Lady *Caroline* Mackenzie, born at London 7th July 1766, married to Count Melford.

Dying without male issue, his titles became extinct, and his estates were purchased by his cousin and heir male, Colonel Thomas Frederick Mackenzie Humberstone, grandson of

XVI. The Hon. Colonel ALEXANDER MACKENZIE, second son of Kenneth, fourth Earl of Seaforth. He married Miss Elizabeth Paterson, daughter of John Paterson, bishop of Ross, and sister of John Paterson, archbishop of Glasgow, and by her, who died at St Mary's Isle, 3d February 1764, æta. 87, had a son,

William;—and four daughters,

Seaforth.

1. *Isabella*, married to Basil Hamilton of Baldoon, and was mother of Dunbar, fourth Earl of Selkirk.

2. *Jane*, married to Dr Alexander Mackenzie, physician in Ross, a cadet of the family of Coul, and died at New Tarbat, 18th September 1776.

3. *Mary*, married to Capt. Dougal Stewart, youngest son of Dougal Stewart of Blairhall, M. P. a lord of session and justiciary, brother of the first Earl of Bute, and had issue.

4. *Elisabeth*, who died unmarried, at Kirkcudbright, 12th March 1796, æta. 81.

5. ———, Maid of Honour to Queen Caroline, married to Nicholas Price of Saintfield, in the county of Down, in Ireland, Esquire, and had issue.

XVII. William Mackenzie, the only son, was a major in the British army; during peace in 1738, he entered into the Russian service; but at the commencement of the Spanish war, he returned to Britain, and died at Stamford, 12th March 1770. He married Mary, only daughter of Matthew Humberston, a gentleman of an ancient family, seated at Humberston, not far from the mouth of the Humber, once a Benedictine Abbey, in the county of Lincoln, and by her had issue,

1. *Thomas Frederick.*

2. *Francis Humberston.*

1. *Frances Cerjat*, married to Sir Vicary Gibbs, Knight, his Majesty's Attorney-General, M. P. and has issue.

2. *Maria Rebecca*, married to Alexander Mackenzie, late of Breda, in Aberdeenshire, youngest son of John Mackenzie of Applecross, and had issue.

3. *Elisabeth.*

4. *Helen*, married to Major-General Alexander Mackenzie Fraser, fourth son of Colin Mackenzie of Kilcoy, an excellent officer, colonel of the 78th regiment, M. P. for Ross-shire, and died at Edinburgh, 15th January 1802, leaving issue.

XVIII. Thomas Frederick Mackenzie Humberston, the eldest son, on the death of Thomas Humberston, the heir-male of the family, succeeded to the estate of Humberston, was captain of a troop in the 1st regiment of dragoon guards, but, notwithstanding, accepted a company in the 78th regiment of foot, commanded by the Earl of Seaforth, in 1778. He was quartered with that regiment in Jersey, and had a principal share in repulsing the attack made on that island by the French. He then raised a battalion of foot, with which he embarked in 1781, for the East Indies, with the rank of lieutenant-colonel. He was at Port Praya when the outward-bound East India fleet under Commodore Johnston was attacked by the French; at that time he happened to be on shore, but such was his ardour to share in the action, that he swam off to one of the ships that was engaged with the enemy. As soon as he arrived in India he obtained a separate command on the Malabar coast, but in the exercise of it met with every discouragement from the council of Bombay. This gave him a greater opportunity of distinguishing himself, for under all the disadvantages of having money, stores, and reinforcements withheld from him, he undertook with 1000 Europeans, and 2500 Sepoys, to wage an offensive war against Calicut. He was conscious of great resources in his own mind, and harmony, confidence, and attachment on the part of his officers and men. He drove the enemy out of the country, defeated them in three different engagements, took the city of Calicut, and every other place of strength in the kingdom. He concluded a treaty with the king of Travancore, who reinforced him with 1200 men. Tippoo now proceeding against him with 30,000 men, more than one third of them cavalry, Colonel Humberston repulsed their attack, and by a rapid march regained the fort of Panami, which the enemy attempted to carry, but were defeated with great loss. He served under General Matthews, against Hyder Ali, in 1782; but during the operations of that campaign, Matthews gave such proofs of misconduct, rapacity, and injustice, that Colonels Macleod and Humberston carried their complaints to the council of Bombay, where they arrived the 26th of February 1783. The council ordered Matthews to be superseded, appointed Colonel Macleod to succeed him in the command of the army, and desired Humberston to go along with him. They sailed from Bombay 5th

Seaforth.

April 1783, in the Ranger, but, notwithstanding peace had been concluded with the Mahrattas, that vessel was attacked on the 8th of that month by their fleet, and after a desperate resistance of five hours, was taken possession of. All the officers on board were either killed or wounded, among them the young and gallant Colonel Humberston was shot through the body with a four pound ball, and died of that wound at Geriah, 30th April 1783, in the 28th year of his age, unmarried. His only brother,

XVII. Francis Humberston Mackenzie, succeeded to the estates of Seaforth and Humberston in 1783. He was elected Member of Parliament for the county of Ross, 1784; rechosen in 1790; raised the 78th regiment of foot, consisting of two battalions, of which he had the rank of colonel, 1793; was appointed lord-lieutenant of Ross-shire, and created a British peer, by the title of Lord Seaforth, Baron Mackenzie of Kintail, to him and the heirs male of his body, 26th October 1797. Having resigned the command of the 78th foot, his Lordship was, in 1798, constituted colonel of the Ross-shire regiment of militia. Being appointed governor of Barbadoes, he was sworn into office at Whitehall, 29th November 1800, and sailed next year for that island, where he was, at first, extremely popular; but several atrocious murders committed on negroes coming to his knowledge, he exerted himself to put a stop to that nefarious practice, which was punishable only with a fine of L. 15 currency. His Lordship's persevering zeal at length, with much difficulty, procured an act from the legislature of that island, making it felony to kill a slave. The noble governor from that time became obnoxious to several of the inhabitants of Barbadoes, though he was strenuously supported by many of the first characters in that colony, which he quitted in 1806. His Lordship ranks as lieutenant-general in the army from 1808.

His Lordship married, 22d April 1789, Seaforth. Mary, daughter of Baptist Proby, D. D. Dean of Litchfield, brother of John, first Lord Carysfort, and uncle of Joshua John, Earl of Carysfort, and by her has issue,

1. Hon. *William Frederick* Mackenzie, who died young.
2. Hon. *George Leveson Boucheret* Mackenzie, who died young.
3. Hon. *William Frederick* Mackenzie.
4. Hon. *Francis John* Mackenzie, midshipman in the royal navy.
1. Hon. *Mary Frederica Elisabeth* Mackenzie, married at Barbadoes, 6th November 1804, to the gallant Sir Samuel Hood, K. B. one of the commissioners for Trinidad, elected M. P. for Westminster 1806.
2. Hon. *Frances Catherine* Mackenzie.
3. Hon. *Caroline* Mackenzie.
4. Hon. *Charlotte Elisabeth* Mackenzie.
5. Hon. *Augusta Anne* Mackenzie.
6. Hon. *Helen Anne* Mackenzie.

Creations.—Lord Mackenzie of Kintail, 19th November 1609, Earl of Seaforth, 3d December 1623; Scotish honours, forfeited 1715. Lord Seaforth, Baron Mackenzie of Kintail, 26th November 1797, to the first Lord, and the heirs male of his body. British titles.

Arms.—Quarterly: 1st and 4th, Azure, a stag's head cabossed, Or, for Mackenzie. 2d and 3d, Argent, three bars, sable, in chief three pellets, for Humberston.

Crest.—On a wreath, a mountain in flames, proper.

Supporters.—Two savages, wreathed about their temples and middles with laurel, each holding in his exterior hand a baton erect, with fire issuing out of the top, all proper.

Motto.—*Luceo non uro.*

Seats.—Brahan Castle, in the county of Ross; Seaforth Lodge, in the island of Lewis.

DOUGLAS, EARL OF SELKIRK.

Selkirk.

I. LORD WILLIAM DOUGLAS, eldest son of William, first Marquis of Douglas, by his second wife Lady Mary Gordon, third daughter of George, first Marquis of Huntly, was born 24th December 1634, created Earl of Selkirk, Lord Daer, and Shortcleuch, by patent dated 4th August 1646, to him and his heirs male whatsoever. He married Anne, Duchess of Hamilton, and was, in consequence of a petition from her Grace, created Duke of Hamilton for life, 12th October 1660. His Grace has been fully treated of under that title, where it will be seen, that the Duke and Duchess of Hamilton had, besides daughters, seven sons,

1. *James*, fourth Duke of Hamilton.
2. Lord *William*, who died in France without issue.
3. Lord *Charles*, created Earl of Selkirk.
4. Lord *John*, created Earl of Ruglen.
5. Lord *George*, created Earl of Orkney.
6. Lord *Basil*.
7. Lord *Archibald*.

II. Lord CHARLES DOUGLAS, the third son, was baptised at Hamilton on the 5th of February 1664, and, on his father's resignation, was created Earl of Selkirk, 6th October 1688, with the precedency of the original creation, 4th August 1646. His Lordship was appointed colonel of the first regiment of horse, 20th November 1688, in room of his brother the Earl of Arran promoted, but was removed next month. He entered heartily into the revolution. King William appointed him one of the lords of his bed-chamber, and he attended his Majesty in most of his campaigns. His father and mother, in 1693, settled the estates of Crawford-Douglas and Crawford-John on him and the heirs male of his body, remainder to all their younger sons according to their seniority, and the heirs male of their bodies; remainder to the other heirs male of William, Duke of Hamilton, as contained in his letters patent. He was appointed lord clerk-register, 1696, and held that office till the death of King William. He opposed the union strenuously; was chosen one of the sixteen representatives of the Scotish peerage, at the general election 1713; chosen again 1722, 1727, and 1734. On the accession of King George I., his Lordship was appointed one of the lords of the bed-chamber, and continued under George II., who, in June 1733, conferred on him his old place of lord clerk-register. His Lordship was high sheriff of Lanarkshire, and dying unmarried at London, 13th March 1739, æta. 76, was succeeded by his brother,

Hamilton Reg.

Selkirk.

II. Lord JOHN HAMILTON, Earl of RUGLEN, who has been already treated of under that title. His Lordship was thenceforward stiled Earl of Selkirk and Ruglen; and dying without male issue, 3d December 1744, in the 80th year of his age, was succeeded in the title of Selkirk, and estates of Crawford-Douglas and Crawford-John, by his grand-nephew Dunbar Hamilton of Baldoon, descended from,

II. Lord BASIL HAMILTON, sixth son of William and Anne, Duke and Duchess of Hamilton, who was baptised at Hamilton on the 16th of December 1671. He was a young man of distinguished abilities, great spirit, and an amiable disposition. Several of his letters to his father are printed in Dalrymple's Memoirs of Scotland. A ship belonging to the Darien Company having been captured by the Spaniards, and the passengers and crew thrown into prison, and threatened with death, Lord Basil Hamilton was, in November 1699, deputed by the company to implore the King's protection for these prisoners. His Majesty at first refused to see him, because he had not appeared at court when last in London. But when that difficulty was removed by an explanation, his audience was fixed to be in the council-chamber

Hamilton Reg.

Dalrymple's Memoirs, III. 163.

Selkirk.

after a council was over. The King having forgot the appointment, was passing into another room, when Lord Basil placed himself in the passage, and said that he came commissioned by a great body of his Majesty's subjects, to lay their misfortunes at his feet; that he had a right to be heard, and would be heard. The king returned, listened with patience, gave instant orders to apply to Spain for redress, and then turning to those near him, said, "this young "man is too bold, if any man can be too bold "in his country's cause." His Lordship's life was cut short in the 30th year of his age, in Autumn 1701, when he was drowned in the Minnock, a small river in Galloway, swelled by a sudden rain, in sight of his brother the Earl of Selkirk, and several gentlemen, who could give no assistance. He fell a victim to his humanity; his servant having rode forward to try the ford, was dismounted in it; Lord Basil rushed in, and caught the man; but his horse falling at that moment, they were both carried down by the torrent. His untimely death was deplored as a national loss*.

His Lordship married Mary, granddaughter and heiress of Sir David Dunbar, of Baldoon, in the county of Wigton, baronet, and by her, who died at Edinburgh, 15th May 1760, in the 84th year of her age, had issue,

1. *William* Hamilton of Baldoon, who succeeded his father 1701, and died before November 1703. The Parliament of Scotland in 1705 ratified a charter under the great seal, in favour of the deceased William Hamilton, son of the deceased Lord Basil Hamilton.

2. *Basil* Hamilton of Baldoon.

1. *Eleanor*, married 31st December 1711, to John Murray of Philiphaugh, in the county of Selkirk, and had issue, and died at Edinburgh 27th December 1783.

2. *Catharine*, married to Thomas sixth Earl of Dundonald, was mother of the seventh Earl, and died at Bath, 13th April 1779.

Selkirk.

III. BASIL HAMILTON of Baldoon, the only surviving son, was served heir to his brother WILLIAM, in November 1703; engaged in the rebellion 1715; had the command of the first troop of horse under the Viscount of Kenmure, and behaved with great courage at Preston, where he was among the number of those who surrendered. When the prisoners were marched into London, his youth, interesting figure, and unconcerned demeanour, attracted the attention and commiseration of the spectators. He was tried the 31st of May 1716, found guilty, and sentenced to be executed 13th July, but was reprieved and pardoned; and in 1732, an act of Parliament was passed for restoring Basil Hamilton in blood. He was chosen member of Parliament for the stewartry of Kirkcudbright, at the general election 1741, and died in November 1742. On him Hamilton of Bangour wrote this epitaph:

> This verse, O gentle Hamilton, be thine,
> Each softer grace, below thy darling shrine,
> Nature to thee did her best gifts impart,
> The mildest manners, and the warmest heart;
> Honour erected in thy breast its throne,
> And kind humanity was all thy own.

He married Isabella, daughter of the Hon. Colonel Alexander Mackenzie, M. P. second son of Kenneth, fourth Earl of Seaforth, and by her, who died in April 1725, had issue,

1. *Dunbar*, fourth Earl of Selkirk.

2. *Basil*, died young.

1. *Mary*, born 8th February 1720, married to Ranald Macdonald, of Clanranald, and died at Edinburgh, 11th May 1750, æta. 31, leaving an only child Charles James Somerled Macdonald, who died at Edinburgh 25th May 1755, aged 5 years.

2. *Elisabeth*, born 10th April 1721, died young.

IV. DUNBAR HAMILTON of Baldoon, the eldest son, born in December 1722, succeeded his father 1742, and on the death of John, Earl of Selkirk and Ruglen, in 1744, succeeded as heir-male to the earl-

* Earl of Argyll to Mr Carstares, 9th September 1699. "You have heard Lord Basil Hamilton is "drowned, and Lord Selkrigg looking on. It is a "mighty shoke to that family, and weakens the grum-"meltonian party in Scotland." Carstares State Papers. Here, 1699 is evidently erroneous; the date probably was blank in the original, and supplied by the editor. Party spirit is conspicuous in the manner in which that afflictive event is thus mentioned by an opponent of the Hamilton family.

Selkirk.

Communicated by a Correspondent.

dom of Selkirk, on which occasion he resumed the paternal name of Douglas. His Lordship's studious disposition induced him to remain several years at the University of Glasgow, where he cultivated the friendship of the celebrated Dr Hutcheson, of whose philosophical opinions he retained through life a warm admiration. When the rebellion broke out in 1745, his Lordship exerted himself with the greatest zeal in animating the inhabitants of Lanarkshire, and the western counties of Scotland, to support government; and several thousand men having entered into associations for that purpose, his Lordship made application for arms, which were granted, but from some unfortunate official delay, were not delivered in time to render their services of any avail.

Soon after this period his Lordship went abroad, and marrying on his return home, retired to the country, and did not take any part in public affairs till 1770, when he exerted himself in resisting ministerial influence in the election of representatives of the Scotish peerage. A particular detail of the measures adopted by his Lordship and his associates, is inserted in Robertson's proceedings relating to the Peerage, to which reference is made. His Lordship was chosen one of the sixteen representatives of the Scotish peerage, on a vacancy 1787; was one of the six peers under the thirteen chosen, who had an equal number of votes at the general election 1790, and was found duly elected in 1793. His Lordship closed a long life of public and private virtue, at Edinburgh, on the 24th of May 1799, in the 77th year of his age.

His Lordship married at Edinburgh, 3d December 1758, Helen, fifth daughter of the Hon. John Hamilton, second son of Thomas, sixth Earl of Haddington, and by her, who died at Bath, 28th November 1802, aged 64, had issue,

1. *Sholto Basil*, Lord Daer, born 3d September 1759, died at St Mary's Isle, 4th July 1760.

3. *Basil William*, Lord Daer, born 16th March 1763, who early displayed great abilities, and uncommon activity of mind. After finishing his education, he went abroad for a short time in 1783, and returned again to Paris, during the meeting of the first or constituent assembly. At that period he was a warm admirer of the French revolution, and lived much in the society of some of the distinguished characters by whom it was then supported; particularly the Duc de la Rochefoucault, the Marquis de Condorcet, and M. Lavoisier. Returning to his native country, strongly impressed with a notion of the happy effects which he expected to result from the popular spirit that had been infused into the French government, he became, in common with many eminent men of the day, a member of the society of "The Friends of the People," and a zealous advocate for parliamentary reform. It is not to be wondered that his Lordship, young, ardent, and benevolent, did not foresee the dreadful consequences of a revolution, the most extraordinary that has occurred in the history of civilized society, and which, at its commencement, had the approbation of several of the ablest men in Europe.

Selkirk.

Communicated by the same Correspondent.

Like his father, he felt much for the dignity of the patrician order; and conceiving that the article of union, on which was founded the exclusion of the eldest sons of Scotish peers, from representing counties and boroughs in Scotland, and voting for members of parliament, was erroneously interpreted, his Lordship, with a view of trying the question, claimed to be put on the roll of freeholders of the stewartry of Kirkcudbright. His claim having been sustained by a majority of the freeholders, some of the minority complained to the Court of Session, by whom, a decision was given against his Lordship in 1792. Against this judgment his lordship, supported by a number of the Scotish peers, appealed to the House of Lords, by whom, in 1793, the decision of the Court of Session was affirmed.

Among the important objects which occupied his Lordship's mind, he paid great attention to agriculture and rural economy. In 1786, his father transferred to him the management of all his landed property in the stewartry of Kirkcudbright, and county of Wigton; and in an agricultural report of these counties, drawn up by the Rev. S. Smith, his Lordship is mentioned in the following terms:

Selkirk.

"The talents of this young nobleman "were of the highest order, and the ardour "with which he turned his powerful mind "to the investigation of every subject con- "nected with rural economy, was only "equalled by the perseverance and ability "which he displayed in the practical exe- "cution of his plans. In the management "of his father's estates, he set an example of "enlightened liberality; and his influence "was most zealously exerted in promoting "every public measure of utility. Roads "and bridges, as the great ground-work of "other improvements, were early the ob- "jects of his most anxious attention. The "unexampled success with which he ap- "plied himself to this branch of rural eco- "nomy, and the spirit and judgment which "he displayed with regard to farms, houses, "and useful and ornamental plantations, "will fully appear in the sequel.

"In carrying forward his bold and de- "cisive plans of rural improvement, he had "to encounter much opposition; his views "were sometimes mistaken, and his mo- "tives misrepresented; every difficulty, "however, served only to increase his ar- "dour, and he had at last the satisfaction "of seeing the mists of prejudice beginning "to vanish before him. But alas! while "indulging in patriotic anticipations, a "mortal disease had taken root in his con- "stitution. Having been seized with symp- "toms of pulmonary consumption in the "course of the preceding year, he fell a "victim to that fatal malady on the 5th "of November 1794, at the early age of "thirty.

"Any attempt to delineate the general "character of this lamented nobleman, or "describe the universal sorrow which, on "his death, pervaded all ranks in the dis- "trict, would be here out of place; but it is "proper to remark, that the period during "which he managed his father's estates, "must ever be held a most important epoch "in the history of the rural economy of "Galloway."

His Lordship died unmarried at Ivybridge in Devonshire, 5th November 1794, in his 32d year, and was buried in the cathedral of Exeter.

3. Hon. *John* Douglas, who, applying to the study of the law, was admitted a member of the faculty of advocates, 1787, became Lord Daer, on his brother's death in 1794, and died unmarried at Florence, 9th July 1797.

Selkirk.

4. Hon. *Dunbar* Douglas, who had the rank of a captain in the royal navy, 1795, and fell a victim to pestilential disease in the course of his professional duty, off St Christopher's, in November 1796, unmarried.

5. Hon. *Alexander* Douglas, a captain in the 80th regiment of foot, who also fell a victim to pestilential disease, at Guadaloupe, 24th June 1794, unmarried.

6. Hon. *David* Douglas, died an infant.

7. *Thomas*, fifth Earl of Selkirk.

1. Lady *Isabella Margaret*.

2. Lady *Helen*, married at St Mary's Isle, 9th November 1786, to Sir James Hall of Dunglass, in the county of Berwick, baronet, M. P. and has issue.

3. Lady *Mary*, died at St Mary's Isle, 20th August 1778.

4. Lady *Elisabeth*, married at Dunglass, 1st August 1806, to Sir James Montgomery of Stanhope, baronet, M. P. for the county of Peebles, and has issue.

5. Lady *Katherine*.

6. Lady *Anne*, died an infant.

V. Thomas, fifth Earl of Selkirk, the only surviving son, born June 1771, became Lord Daer in 1797, and succeeded his father 1799. His Lordship visited America in 1803, and, on his return in 1805, published, "Observations on the present "State of the Highlands of Scotland, with "a view of the Causes and probable Conse- "quences of Emigration," in which is given a very interesting account of the settlement formed by him on Prince Edward's Island, in the gulf of St Lawrence. His Lordship was chosen one of the sixteen representatives of the Scotish peerage at the general election 1806, re-chosen 1807; was appointed lord lieutenant of the stewartry of Kirkcudbright, 28th March 1807; and admitted a fellow of the Royal Society July 1808. The same year he published, "The necessity of a more effectual system "of military defence, and the means of es- "tablishing the permanent security of the "kingdom." The next year, 1809, his Lordship published a "Letter addressed

Selkirk.

"to John Cartwright, Esq." on the subject of parliamentary reform, in which, with a dignified candour, he retracts opinions which he had formerly entertained. After stating that his father and brother had been zealous friends of the measure, and that all his own early prepossessions had been in favour of it, he explains the reasons on which his former opinion had been founded, and then adds:

"Such, Sir, were the views upon which "I was led to approve the proposal of a "great and radical change in the constitu- "tion of the House of Commons. I be- "lieve, that, through a similar train of rea- "soning, my father and brother had been "led, as well as many other men of dis- "tinguished worth, to the same opinions. "Of the correctness of this practical con- "clusion, I have since seen reason to "doubt; not that my feelings of abhor- "rence and contempt for corruption and "venality have undergone any change; "in these sentiments I do not fall short of "those honoured relatives with whose opi- "nions you were well acquainted: but I "have had an opportunity, which they "never had, of seeing the practical appli- "cation of those principles from which "we expected consequences so beneficial. "With grief and mortification I perceived "that no such advantages had resulted, as "from theory I had been led to antici- "pate.

"I allude to the observations which I "had occasion to make in the United States "of America, where a system of represen- "tation is established, approaching as near- "ly as perhaps is practicable to the theo- "retical perfection at which you aim; and "where that system is combined with a ge- "neral diffusion of property, of itself cal- "culated to check in a great degree "the force of corruption. A very short "acquaintance with the legislative pro- "ceedings of America, may afford convic- "tion, that universal suffrage, and fre- "quency of election, prove no bar to the "misconduct of representatives; and that "a political adventurer, raised to power "by popular favour, is fully at liberty to "abuse that power as is the purchaser of "a rotten borough."

His Lordship married at Inveresk, 24th November 1807, Jean, only daughter of James Wedderburn Colvill, Esq. brother of the late Sir John Wedderburn of Balindean, baronet, and has one son,

Dunbar James, Lord Daer, born at London, 22d April 1809.

Selkirk.

TITLES.—Dunbar Douglas, Earl of Selkirk, Lord Daer and Shortcleuch.

CREATIONS.—Earl of Selkirk, Lord Daer and Shortcleuch, by patent dated at Newcastle, 4th August 1646, to the first Earl, and his heirs male whatsoever. New patent, with the former precedency, dated at Whitehall, 6th October 1688, to Lord Charles Hamilton and the heirs male of his body; which failing, to Lord John, Lord George, Lord Basil, and Lord Archibald Hamilton, and the heirs male of their bodies, respectively; which failing, to the other heirs male of William, Duke of Hamilton, as contained in his letters patent; with this proviso, that if Lord Charles, or the heirs male of his body, or any of his brothers, or the heirs male of their bodies, succeed to the dukedom of Hamilton, the earldom of Selkirk, semper descendet ad fratrem immediate juniorem illi qui ad titulum Ducis de Hamilton succedere contingerit, et heredibus masculis de ejus corpore, quibus deficientibus, ut supra dictum est pertinebit.

ARMS.—Quarterly: 1st and 4th, Argent, a heart, gules, ensigned with an imperial crown, Or, on a chief, azure, three mullets of the first, for Douglas. 2d, Gules, three cinquefoils, pierced, ermine, for Hamilton. 3d, Gules, a lion rampant, argent, within a bordure of the second, charged with ten roses of the first, for Dunbar of Baldoon.

CREST.—A Salamander in flames.

SUPPORTERS.—Dexter, a savage wreathed about the loins with laurel. Sinister, an antelope, proper.

MOTTO.—*Jamais arriere.*

CHIEF SEAT.—St Mary's Isle, near Kirkcudbright.

SEMPILL, LORD SEMPILL.

Sempill.

THE first of this antient family on record is,

I. ROBERT DE SEMPILL, who was steward or chamberlain of Renfrew, in the reign of King Alexander III., and witnessed a charter of Malcolm, Earl of Lennox about 1280, also a grant of James, high steward of Scotland; and he left two sons,

Chartul. of Lennox, 4. D. Hist. Renf. 52.

1. *Robert*.

2. *Thomas* de Sempill, to whom King Robert I. granted a charter, Thomæ dicto Sympil, dilecto et fideli nostro, pro homagio et servitio suo, of half of the lands and pertinents in the town and tenement of Langnodryf (Longniddery), which belonged to Nicholas de Dispensa, our enemy, and which was forfeited by him.

Reg. Mag. Sig. 13.

II. ROBERT DE SEMPILL, the eldest son, had a charter from King Robert I., Roberto dicto Sympil dilecto et fideli nostro, totam terram, cum pertinen. quæ fuit quondam Joannis Balliolo, militis, in tenemento de Largys, to be held by him and his heirs in a free barony. He witnessed a donation of the church of Largis to the monastery of Paisley, for the welfare of his own soul and that of Marjory Bruce his deceased wife, 1318. He died before 1330, leaving a son,

Ibid. 11.

Chartul. of Paisley. D.

III. WILLIAM DE SEMPILL, steward of Renfrew, who witnessed a ratification of Malcolm, fourth Earl of Lennox, to the monastery of Paisley, 1330, and another charter of the same Earl to James, brother of Walter, high steward of Scotland, the same year. He acquired the lands of Eliotstoun, and under the designation of Willielmus Sempill de Eliotstoun, witnessed a charter of Adam de Fullerton, 13th April 1344. His son and successor,

Chartul. of Lennox, 152. D.

Book of Charters, penes Macfarlane. D.

IV. THOMAS SEMPILL of Eliotstoun, witnessed a charter of Robert, high steward of Scotland, Earl of Strathern, and John, Lord of Kyle, his son and heir apparent, confirming to the monastery of Paisley the lands of Sanquhar in 1367. He was father of,

Chartul. of Paisley. D.

Sempill.

V. Sir JOHN SEMPILL of Eliotstoun, who got from King Robert II. a charter confirming the grants which John, Earl of Carrick, his Majesty's eldest son, had made Joanni Sympill filio et heredi Thomæ de Sympill, dilecto et fideli nostro, of the lands of Glasford, with the advocation of the church of the same, with the tenandries of Corsraguel, of Ridren, and of Blacford, also the park of Cloungwarn, of Knocglas, of Clonskeach, of Clayansfer, of Torranys, and of Arduchryg, in the barony of Kylbryd, in Lanarkshire, to him and the heirs male of his body; which failing, to the heirs whatsoever of his father, 22d July 1375. He witnessed charters in 1392 and 1397, and left a daughter, *Jean*, married to Sir John Stewart, sheriff of Bute, and a son,

Reg. Mag. Sig. 108.

VI. JOHN SEMPILL of Elliotstoun, who witnessed a charter of Robert, Duke of Albany, of the lands of Yester, to Dougal Macdougal, 11th March 1409. Johannes Sympyll de Elyotistoun, had a safe conduct to Durham to wait upon King James I., 13th December 1423. He died before 1440. His son,

Ibid. 245.

Fœdera, X. 308.

VII. Sir ROBERT SEMPILL of Eliotstoun, had a charter, Roberto Sympill de Eliottstoun, militi, and Elisabeth his wife, of the lands of Southannane in Ayrshire, on his own resignation, 31st October 1451. His son,

Mag. Sig. L. iv. No. 185.

VIII. Sir WILLIAM SEMPILL of Eliotstoun, who, in a precept directed by Robert, Lord Lyle, 1452, is designed Willielmus, filius et hæres Domini Roberti Sempill de Eliotstoun. He had a charter, Willielmo Sympill, militi, son and heir apparent of Robert Sympill of Eliotstoun, knight, of the lands of Eliotstoun, in Ren-

Chartul. of Paisley. D.

Mag. Sig. L. vii. No. 254.

Sempill.

frewshire; Glasford, in Lanarkshire; Southannane, in Ayrshire; and Rossy, in Strathern, dated 4th October 1474. His son and successor,

Rec. Parl. 302.

IX. Thomas Sempill, sheriff of Renfrew, sat in parliament, 25th February 1483-4, being designed Thomas Simple, Vicecomes de Renfrew. He fell at the battle of Bannockburn, on the side of James III., 11th June 1488. He married

Ibid. Ad. An. 1489. D.

Elisabeth, daughter or sister of John, first Lord Ross, by whom he had a son,

Sir *John*;—and two daughters,

1. *Margaret*, married to Robert Crawford of Kilbirny.

2. *Marion*, married to Sir John Stewart of Glanderstoun.

Mag. Sig. L. xiii. No. 129, 132, 420, 555. L. xiv. No. 155.

X. Sir John Sempill, the only son, was created a peer by King James IV., although the precise date is not ascertained. Charters were granted to John, Lord Sempill, of Mountgrenane, in Ayrshire, 12th March 1494-5; of Dicbar and Castlebar, in Renfrewshire, 15th July 1495; of Lochcurgeath and Cassiltoun, in the same county, to him and Margaret Colvill his wife, 9th September 1501; of Henderstoun, in the same county, 3d August 1503; and of Cassiltoun, Southannan, and Glasford, 21st September 1503. He sat as a peer in parliament, 18th March 1503-4; founded a collegiate church near his castle of Semple, 1505; had charters of Cassilton, to him and Margaret Crichton his wife, 16th February 1505-6; of Southannan and Auchindenan, to him and her, 4th July 1508; and of Pridzeauch, in Ayrshire, 2d June 1511. He fell at the battle of Flodden, 9th September 1513. He married, first, Margaret, daughter of Sir Robert Colvill of Ochiltree, by whom he had two sons,

Rec. Parl. 486. Keith's Catal. 288. Mag. Sig. L. xiv. No. 200. L. xv. No. 87. L. xviii. No. 193.

1. *William*, second Lord Sempill.

L. xxix. No. 292. 292.

2. *Gabriel*, who had a charter under the great seal, to Gabriel Sempill, brother-german of William, Lord Sempill, and to Jonet Spreule his wife, of the castle of Cathcart, &c. 25th November 1543. A charter was granted to John Sempill, second son procreated betwixt Gabriel Sempill of Cathcart, and Jonet Spreule his wife, and to the heirs male betwixt him and Mariot Lindsay his wife, by the said Gabriel Sempill and Mariot Kennedy his wife, of the castle of Cathcart, &c. 23d May 1544. He was ancestor of the Sempills of Cathcart*.

Sempill.

He married, secondly, Margaret, daughter of James Crichton of Ruthvendeny, relict of Sir William Stirling of Kier, without issue.

XI. William, second Lord Sempill, the eldest son, was one of the privy-council of James V., and justiciary and bailie of the regality of Paisley. He had charters of Previk in Ayrshire, to William, Lord Sempill, and Elisabeth Arnot his wife, 2d May 1523; and of Auchinfour, and other lands in the barony of Inverkip, to him and her, 31st August 1529. He had charters of Fernynes, Eliotston, Glasford, &c. 17th March 1539-40; of Beltrees, Dalmure, &c. 4th October 1545; and of Drumry, on the 18th of the same month. He was one of those who assented to the match betwixt Queen Mary and Prince Edward of England, 25th August 1543, and died 1548. His Lordship married, first, Lady Margaret Montgomery, eldest daughter of Hugh, first Earl of Eglintoun, and by her had issue,

Mag. Sig. L. xxiii. No. 65, 161. L. xxvii. No. 37, 38. L. xxix. No. 288, 337.

Fœdera, XV. 4.

1. *Robert*, third Lord Sempill.

2. *David*, ancestor of the Sempills of Craigbetts, a branch of whom settled in Spain, and flourished there.

1. *Helen*, married to Alan, third Lord Cathcart, and had issue.

2. *Mary*, married to Sir John Stirling of Kier.

He married, secondly, Elisabeth, daughter of Arnot of Arnot; thirdly, Marian, daughter of Hugh Montgomery of Hazelhead, without issue.

XII. Robert, third Lord Sempill, the eldest son, had charters, Roberto Sempill, filio et hæredi Willielmi, Domini Sempill, of the King's lands and island of Little Cumray, 23d February 1532-3; of Hardrig, Westoun, Wyndraw, Brigtoun, in the lordship of Douglas; the office of

Mag. Sig. L. xxix. No. 209. L. xxx. No. 55, 56. L. xxx. No. 9, 276.

* A charter was granted to William Sempill, brother-german of Gabriel Sempill of Cathcart, and to the heirs of entail of the deceased John Sempill, of the castle of Cathcart, by the said Gabriel, 12th January 1550-1. Mag. Sig. L. xxx. No. 702.

Sempill.

governor and constable of the King's castle of Douglas, 20th October 1533; of the office of sheriff of Renfrew, barony of Sempill, lands of Southannan, Previck, Glasfurd, &c. on his father's resignation, 24th January 1543-4, and of Crukiston, Crukisfee, Thankerton, and Darnley, forfeited by Matthew, Earl of Lennox, 6th October 1544. He was made prisoner at the battle of Pinkie, in September 1547; succeeded his father 1548; entered into the association to defend King James VI. in 1567; was present at the battle of Langside, against Queen Mary, in 1568; had a grant of the abbacy of Paisley, forfeited by Lord Claud Hamilton, 1569, and a charter of some lands in the barony of Glasford, 11th June 1572; and died not long afterwards. He married, first, Isabel, daughter of Sir William Hamilton of Sanquhar, by whom he had issue,

Crawf. Peer. 441.

Mag. Sig. L. xxxiii. No. 103.

1. *Robert*.

2. *Andrew*, who, in 1560, got from his father the lands of Bruntchells, and was ancestor of the Sempills of Bruntchells and Millbank.

Crawf. Renf. 140.

1. *Grizel*, married to James Hamilton of Stanhouse, and had issue.

2. *Margaret*, married, first, to John Hamilton of Broomhill; secondly, to John Whitefoord of Whitefoord.

3. *Janet*, married to Hugh Montgomery of Hazelhead, and had issue.

4. ———, married to Alexander Fleming of Barochan, and had issue.

He married, secondly, Elisabeth Carlyle, a daughter of the house of Torthorwald, by whom he had issue,

John Sempill, who married Mary, youngest daughter of Alexander, fifth Lord Livingston. Queen Mary, by charter dated 9th March 1564, granted to them the lands of Auchtermuchty and others, till they should be provided in an estate of L. 500 a-year, ratified by act of parliament, 19th April 1567, in consideration of the long continued services of Mary Livingston, her Majesty's familiar servitrice, and John Semple, son of Robert, Lord Semple, her daily and familiar servitour. John Knox notices the marriage of Mary Livingston the lusty, to John Sempill the dancer. He acquired the lands of Beltrees. His son, Sir James Sempill, was ambassador to England, 1599, and author of the Packman and the Priest, a satire; he married Egidia, daughter of Elphinston of Blythswood, and had a son, Robert Sempill of Beltrees, author of an epitaph and elegy on Habie Simpson, the piper of Kilbarchan, a poem of much local celebrity. He married a daughter of Lyon of Auldbar; his son Francis, who sold Beltrees, was an adherent of the Stewart family, wrote several panegyrics on James VII., and on the births of his children, and satires on the whigs. He was author of the banishment of poverty, a piece of considerable merit, and the celebrated song, "She rose and let me in." He married a daughter of Campbell of Ardkinglass; his son Robert, married Mary, sister of Sir Robert Pollock of Pollock, by whom he had a son, Robert, born 8th January 1687, who well remembered being present at the execution of witches at Paisley in 1697, and survived till July 1789, when he died, in the 103d year of his age.

Roc. Parl. 701.

Sempill.

Hist. Renf. 160.

Stat. Acc. XV. 491.

1. *Jean*, married to James, third Lord Ross, and had issue.

2. *Grissel*, married to John Blair of Blair, and had issue; they had a charter, 8th February 1571-2.

Mag. Sig. L. xxxiv. No. 70.

3. *Dorothea*, married to Sir Robert Montgomery of Skelmorly, and had issue.

XIII. ROBERT, Master of SEMPILL, the eldest son, predeceased his father 1569, leaving, by Johanna Hamilton, a son *,

XIV. ROBERT, fourth Lord SEMPILL, who had a charter to Robert Sempill, grandson and heir of Robert, Lord Sempill, of the barony of Sempill and Craganbeach, confirmed 15th December 1572. He was ambassador to Spain in 1596; and died 25th March 1611. He married, first, Lady Anne

L. xxxiii. No. 87.

* Memini Robertum Magistrum de Sempill, patrem Roberti nunc principis illius familiæ, cum ex concubinatu Joannæ Hamilton, hunc ipsum filium suscepisset, et ei impense faveret, in articulo mortis cum se decedendum videret, ad eadem sacram se in lectica deferre curasse, ibique nuptiis solenniter peractis, cum domum redisset octavo post die fatis concessisse, ex quo subsequente matrimonio licet in lecto ægritudinis solenniter peracto, filius antea susceptus non minus in hereditate successit, quam si ex legitimo matrimonio natus Fuit.—Cragii, Jus feudale, 316.

Sempill. Montgomery, second daughter of Hugh, third Earl of Eglintoun, by whom he had a son,

Hugh, fifth Lord Sempill; and four daughters.

1. *Anne*, married, contract dated 8th June 1603, to Sir Archibald Stewart of Castlemilk, and died in December 1631, leaving issue.

2. *Beatrix*, married to Sir Colin Lamont of Inneryne, and had issue.

3. *Grissel*, married to John Logan of Raiss, and had issue.

4. *Margaret*, married to Robert Brisbane of Bishoptoun, and had issue.

He married, secondly, Dame Johanna de Evieland, a lady of the low countries, by whom he had a son,

Sir *James* Sempill of Letterkenny in Ireland, who had only one daughter, married to Sir Francis Hamilton, knight.

XV. Hugh, fifth Lord Sempill, the eldest son, had a charter to Hugh Lord Sempill, and Francis his son, of the barony of Craiginfeoch, in Renfrewshire, 22d February 1634, and died 19th September 1639. He married, first, Lady Anne Hamilton, eldest daughter of James, first Earl of Abercorn, by whom he had one daughter,

Mag. Sig. L. liv. No. 192.

Balf. Ann.

Marian, married to Sir George Preston of Valleyfield, baronet, and had issue.

He married, secondly, Lady Elisabeth Hay, third daughter of Francis, ninth Earl of Errol; she had a charter of Cassilton, 10th September 1623, and they had issue,

1. *Francis*, sixth Lord Sempill.

2. *Robert*, seventh Lord Sempill.

3. *Archibald* Sempill of Dykehead.

4. *James*, who entered into a religious order abroad.

1. *Elisabeth*, married to William, second Lord Mordington, and had issue.

2. *Jean*, married to William Menzies of Pitfoddles.

XVI. Francis, sixth Lord Sempill, the eldest son, married Lady Isabel Seton, daughter of George, second Earl of Winton; but dying without issue, 3d November 1644, was succeeded by his brother,

XVI. Robert, seventh Lord Sempill, who was served heir-male of Robert, Lord Sempill, of Glassfuird, his grandfather, and heir of Francis, Lord Sempill, his brother, 16th February 1648. He was fined in the sum of L. 1000 by Cromwell's act of grace and pardon, 1654, and died 8th September 1675. He married Anne, daughter of James, first Lord Mordington, and had issue.

Sempill. Inq. Ret. xix. 317. 320.

1. *Robert*, Master of Sempill, who died in his 18th year, unmarried.

2. *Francis*, eighth Lord Sempill.

1. *Anne*, Baroness Sempill.

2. *Jean*, married to Alexander Sinclair of Roslin, and was mother of William Sinclair of Roslin, the last of that very ancient family, who died in 1778, æta. 78.

XVII. Francis, eighth Lord Sempill, the only surviving son, was served heir of his father, and his brother Robert, Master of Sempill, 9th September 1680; made profession of the reformed religion, and took his seat in Parliament, where none of his ancestors, who were Roman catholics, had sat since the reign of Queen Mary. He married Grissel, daughter of Sir Archibald Primrose of Carrington, baronet, sister of the first Earl of Rosebery; but having no issue by her, who took to her second husband Brigadier-General Richard Cunningham, the title devolved, on his death in 1684, on his eldest sister,

Ibid. xxxv. 151, 153.

XVII. Anne, Baroness of Sempill, who married Francis Abercromby of Fetternier; and he was, in consequence created Lord Glassford, (an ancient property of the Sempill family,) for his life only, 5th July 1685. She was, under the designation of Domina Anna Sempill, sponsa Francisci Abercrombie de Fetterneir, on the 14th of April 1685, served heir of entail and provision of Robert, Lord Sempill, her father, and Francis, Lord Sempill, her brother. A charter passed the great seal, 16th May 1688, confirming the family estates, with the style, honour, order, and dignity of Lord Sempill, to Anne, Lady Sempill, and Francis, Lord Glassford, her husband, and the longest liver of them in liferent; remainder to Francis, Master of Sempill, their eldest son, Robert, John, and Alexander Sempills, their second, third, and fourth sons, and the heirs male of their bodies,

Ibid. xxxviii. 185, 223.

Mag. Sig. L. lxxi. No. 88.

Sempill. lawfully to be procreated, respectively; remainder to the other heirs male to be procreated of the body of Anne, Lady Sempill, and Francis, Lord Glassford, and the heirs male of their bodies; remainder to the heirs female procreated, or to be procreated of their bodies, and the heirs male of their bodies; remainder to the heirs female to be procreated of the bodies of the said Francis, Master of Sempill, Robert, John, and Alexander Sempills, and the heirs male of their bodies respectively; remainder to the heirs male to be procreated of the body of Anna, Lady Sempill, in any other marriage, and the heirs of their bodies; remainder to the heirs female of their bodies; the eldest of all the heirs female, in all the aforesaid cases, succeeding without division; remainder alicui personæ vel aliquibus personis, quos dict. Domina Anna Sempill, et Franciscus Dominus Glassford, nominabunt et ordinabunt in aliquo scripto sub eorum manibus duran. eorum conjuncta vita duntaxat; remainder to the heirs and assignees whatsoever of the said Anna, Lady Sempill. Anna, Lady Sempill, died in 1695. Her issue were,

1. *Francis*, ninth Lord Sempill.

2. Hon. Captain *Robert* Sempill, killed in the wars abroad, without issue.

3. *John*, tenth Lord Sempill.

4. Hon. *Alexander* Sempill, who died in early youth.

5. *Hugh*, eleventh Lord Sempill.

Daughter, Hon. *Jean* Sempill, who died unmarried, 8th May 1743.

XVIII. Francis, ninth Lord Sempill, the eldest son, succeeded his mother, was a young nobleman of eminent parts, and renouncing the popish faith, in which he had been educated, took his seat in Parliament, 14th May 1703. Next day, the formula subjoined to the act of Parliament 1700, for preventing the growth of popery, as it was subscribed by the Lord Sempill, and attested by the Earl of Eglintoun, and her Majesty's advocate, two of the lords of her privy council, being read, the Lord Sempill was ordained to take it and subscribe it again in Parliament, and he took and subscribed it accordingly. Notwithstanding very considerable offers if he would comply with the measures of the court in relation to the union, he gave that treaty all the opposition in his power, voting against every article; and saying, that though the union was attended with no other inconvenience than making the peers elective, he wondered very much how any of that rank could be for it; being all peers by right of inheritance, their being made elective he took to be a divesting them of their peerage; because, not being sure of being always chosen to every parliament of Great Britain, they consequently must lose, when left out, the benefit of sitting in Parliament, which was ever deemed an inseparable right of the peerage. He died, unmarried, not long afterwards.

Min. of Parl.

Sempill.

XVIII. John, tenth Lord Sempill, succeeded his brother, was active in promoting the training and discipliming of the Ayrshire fencible men, during the rebellion 1715, and met the Earls of Eglintoun, Kilmarnock, and Glasgow, at Irvine, 22d August that year, when 6000 royalists appeared. He died unmarried, in August 1716. His only surviving brother,

Rae's Hist. Reb. 192.

XVIII. Hugh, eleventh Lord Sempill, born after the making of the entail of the barony of Sempill already recited, went early into the army; his first commission was dated July 1709; served with reputation in Flanders and Spain, succeeded his brother in 1719; was major of the 26th regiment of foot, or Cameronians, in 1718; had the lieutenant-colonelcy of the 19th regiment of foot, 1731, and was constituted colonel of the 42d regiment of foot, or Royal Highlanders, 14th January 1741. He accompanied them in 1743, to Flanders, where they highly distinguished themselves; he commanded in the town of Aeth, when it was besieged by the French, and made a gallant defence. He was appointed colonel of the 25th regiment of foot, 25th April 1745; acted as brigadier-general at the battle of Culloden, 16th April 1746, when he had the command of the left wing of the royal army. In the middle of August following he arrived at Aberdeen, assumed the command of the troops stationed in that quarter, and died there 25th November 1746, his death being occasioned by the tendon of his arm being punc-

tured in the operation of phlebotomy. By his wife, Sarah, daughter and co-heiress of —— Gascoyne, Esq. of Manchester, in the county palatine of Lancaster, who died 17th April 1749, he had issue,

1. *John*, twelfth Lord Sempill.

2. Hon. *George* Sempill, who had an ensign's commission in the 19th regiment of foot 1732, and a company in the 55d foot 1755; went into the service of the East India Company with the rank of colonel, and died at Bishoptoun, 18th December 1779. He married, first, Miss Gordon of Wardhouse; secondly, at Styche, in Shropshire, 1st December 1764, his cousin Miss Clive, daughter of Richard Clive of Styche, by Rebecca Gascoyne, and sister of Robert, first Lord Clive; thirdly, at Manchester, 15th June 1775, the widow of Francis Joddrell of Yeardsley, in Cheshire.

3. Hon. *Hugh* Sempill, who had an ensign's commission in the 19th regiment of foot 1737, a company in the marine forces 1757, and died on board the Lennox man-of-war at the Cape of Good Hope, January 1764.

4. Hon. *Philip* Sempill, died young.

5. Hon. *Ralph* Sempill, died at sea.

1. Hon. *Sarah* Sempill, married, 22d April 1750, to Patrick Crawford of Auchinames and Errol, many years member of Parliament for the counties of Ayr and Renfrew, and died at Errol, 25th April 1751, leaving one daughter, Sarah, who died unmarried at Bermudas, 7th October 1796.

2. Hon. *Jean* Sempill, who died unmarried at Edinburgh, July 1800.

3. Hon. *Elisabeth* Sempill, born 24th March 1729, died young.

4. Hon. *Anne* Sempill, born 4th June 1730, married 16th September 1754, to Adam Austin, M. D. Physician in Edinburgh; she died 27th November 1793, and was buried in the Grayfriars Edinburgh. She had eight daughters, and one son, Hugh Austin, Judge of the Sudder Dewanee Adawlet, at Burdwan, drowned in his passage from that city to Calcutta, 11th September 1784, without legitimate issue.

5. Hon. *Marion* Sempill, who died unmarried at Edinburgh, 14th May 1796.

6. Hon. *Rebecca* Sempill, who died unmarried at Edinburgh, 16th September 1811.

XIX. John, twelfth Lord Sempill, the eldest son, succeeded his father 1746, and died at Sempill house, 15th January 1782. His Lordship married, 10th March 1755, Janet, only daughter and heiress of Hugh Dunlop of Bishoptoun, in the county of Renfrew, and by her had issue,

1. *Hugh*, thirteenth Lord Sempill.

2. Hon. *George* Sempill, born 26th August 1763, who had a lieutenant's commission in the 78th regiment of foot in 1781, and died in the East Indies in June 1782.

3. Hon. *Patrick* Sempill, who died in January 1774, in the 8th year of his age.

1. Hon. *Sarah* Sempill, married at Sempill house, 7th June 1780, to Sir William Forbes of Craigievar, in the county of Aberdeen, baronet, and died at Fintray House, 8th December 1799, leaving issue.

2. Hon. *Janet* Sempill.

3. Hon. *Johanna* Sempill.

XX. Hugh, thirteenth Lord Sempill, the eldest son, born 1st July 1758; had the commission of ensign in the 3d regiment of foot guards, 24th December 1777, of lieutenant in the same, 26th February 1781, and continued in that regiment till 1793. His Lordship married at London, 24th January 1787, Miss Mellish, daughter of Charles Mellish of Ragnal in the county of Nottingham, and by her has four children,

1. Hon. *Selkirk* Sempill, born at London 12th February 1788, a captain in the Renfrewshire regiment of militia.

2. Hon. *Francis* Sempill.

1. Hon. *Maria Janet* Sempill.

2. Hon. *Sarah* Sempill.

Title.—*Hugh Sempill, Lord Sempill.*

Creation.—Lord Sempill, by King James IV. before 12th March 1494-5, when a charter was granted to John, Lord Sempill. New patent or charter of the title, 16th May 1688, to Anne, Baroness Sempill, and Francis, Lord Glassford, her husband, in liferent; remainder to their sons, and the heirs male of their bodies; remainder to their daughters, and the heirs male of their bodies; remainder to the heirs female of the bodies of their sons and their

Sempill. heirs male, &c.; remainder to any person nominated by Anna, Lady Sempill, and Francis, Lord Glassford, during their joint lives; remainder to the heirs and assigns whatsoever of Anna, Lady Sempill.

ARMS.—Argent, a chevron cheque gules, and of the field, accompanied with three bugle horns, sable, garnished of the second.

CREST.—A stag's head, proper, attired, argent. Sempill.

SUPPORTERS.—Two ratch hounds, sable, collared gules.

MOTTO.—*Keep tryste.*

SINCLAIR, LORD SINCLAIR.

Sinclair. I. WILLIAM SINCLAIR, only son of the first marriage of William, Earl of Orkney, and Caithness, by his first wife Lady Margaret Douglas, eldest daughter of Archibald, fourth Earl of Douglas, and Duke of Touraine, had from his father the barony of Newburgh, in Aberdeenshire, in which he was infeoffed, 16th March 1459. His father resigned the earldom of Orkney to King James III. in 1470; and he also resigned the earldom of Caithness in favour of William, the eldest son of his second marriage, passing by William Sinclair of Newburgh, his eldest son; he likewise settled great estates on Sir Oliver Sinclair of Roslin, another son of his second marriage. William Sinclair of Newburgh instituted an action for reduction of that settlement; a compromise was entered into. Sir Oliver gave over to William the lands of Cousland, in the shire of Edinburgh, the barony of Dysart, castle of Ravenscraig, and lands of Dubbo, Carberry, and Wilstoun in Fife; and on the other hand, William Sinclair of Newburgh, and his eldest son, Henry, renounced all title to the barony of Roslin, by indenture dated 9th February 1481-2. By that indenture, Sir Oliver obliged himself to honour and worship the said William, as effeirs and accords him to do as his elder brother; and if there shall be any debate or competition betwixt the said William, and William his younger brother, for the earldom of Caithness, he should stand neuter betwixt them. He was dead before 20th February 1491-2, when Christian Lesly, the wife of the *deceased* William Lord Sinclair, occurs in the records of Parliament. He married Lady Christian Lesly, daughter of George, first Earl of Rothes, by whom he had a son, Sinclair.

Crawf. Peer. 234.

Acta Auditorum, 168.

II. HENRY SINCLAIR, who had a charter Henrico Domino de Sancto Claro, et Margaretæ Hepburn, suæ sponsæ, of Cousland, Ravenscraig, Woulstoun, Carberry, and Dubbo in Fife, on his own resignation, 4th December 1488. In Parliament at Edinburgh, 26th January 1448-9, was passed an act of this tenor: Item, anent Sir Henry Sinclare, that our sovereign lord with the aviss and deliverance of the estates of his Parliament, declaris yat sene the said Sir Henriis grantschir and faider, Lordis Sinclair for the tyme, are decessit, and the said Sir Henry richtwiss heritar to tham, that he is chieff of yat blude, and will yarfor yat he be callit Lord Sinclar in tyme to cum, with all digniteis, emenencis, previlegiis, tenandis tenandriis belanging tharto, efter the forme of ye charteris and evidentis maid thairupoun. He had charters, super assedatione terrarum et dominiorum Orcadiæ et Schet-

Mag. Sig. L. vii. No. 26.

Rec. Parl. 847.

Sinclair.

Mag. Sig. L. xii. No. 110, 111, 112. L. xiii. No. 64, 105. L. xv. No. 118. L. xvii. No. 107.

landiæ, super custodia castri de Kirkwall, super officiis justiciarii folderiæ et balliatus prædict. terrarum et dominiorum, 28th May 1489; of Dysart and Ravenscraig, to him and Margaret Hepburn his wife, 9th January 1493-4; of the King's lands and lordships of Orkney and Shetland, and of the office of keeper of the castle of Kirkwall, subject to a payment of 550 marks per annum, 1st March 1501-2; of Newburgh, 3d March 1508-9; of Logyraffe, in Aberdeenshire, 21st August 1511; and he fell at the battle of Flodden, 9th September 1513. He married Lady Margaret Hepburn, third daughter of Patrick, first Earl of Bothwell, by whom he had a son,

William, second Lord Sinclair;—and three daughters,

1. *Catherine*, married to Sir David Wemyss of Wemyss, and had issue.

2. *Helen*, married to James, fourth Lord Ogilvy of Airly, and had issue.

3. *Jean*, married to Alexander, Master of Crawford, and was mother of the ninth Earl of Crawford.

L. xxi. No. 148. L. xxv. No. 35. L. xxx. No. 98.

III. William, second Lord Sinclair, the only son, had three charters to William, Lord Sinclair, and Elisabeth Keith his wife, of the barony of Newburgh, 17th April 1524; of the same, 15th May 1533; and of the lands of Wilstoun, Carberry, and Balheggy, in Fife, 28th June 1547. He married Lady Elisabeth Keith, second daughter of William, third Earl Marischal, relict of Colin, Master of Oliphant, and by her had two sons,

1. *Henry*, third Lord Sinclair.

2. *Magnus*, who had a charter of Kinnimont, in Fife, 4th November 1561, Magno Sinclair, filio legitimo Willielmi, Domini Sinclair, et Mariotæ Bruce sponsæ.

L. xxiii. No. 525.

IV. Henry, third Lord Sinclair, the eldest son, had charters of the baronies of Dysart and Newburgh, Ravenscraig, &c. to Henry, Master of Sinclair, son and heir apparent of William, Lord Sinclair, dated 24th November 1550. He supported the reformation, joined the association at Hamilton on behalf of Queen Mary 1568, and died 21st October 1601. He married Elisabeth, second daughter of William, seventh Lord Forbes; she had charters of the lands of Tollies and Auchlyne, in Aberdeenshire, to Elisabeth Forbes, wife of Henry, Lord Sinclair, and Elisabeth their eldest daughter, confirmed 16th August 1591; of the lands of Corsby, in the county of Elgin, 2d September 1600, and of a tenement in Dysart, 20th February 1602; they had issue,

Sinclair.

Mag. Sig. L. xxxviii. No. 190. L. xliii. No. 18. L. xlv. No. 232.

1. *James*, Master of Sinclair.

2. Capt. *Laurence* Sinclair, served heir of his mother Elisabeth Forbes, Lady Sinclair, in patella salinaria in Dysart, cum carbonibus, 7th January 1626.

Inq. Ret. ix. 148.

1. *Elisabeth*.

2. *Jean*.

3. *Helen*, married to Andrew Kinninmonth of Kinninmonth.

4. *Mary*, married to William, Lord Berriedale, eldest son of George, fifth Earl of Caithness, and had issue.

V. James, Master of Sinclair, the eldest son, had charters to James Sinclair, son and heir apparent of Henry, Lord Sinclair, of Ravenscraig, Dysart, Newburgh, &c. 24th July 1577, and of the barony of Dysart, 5th July 1592. He died before his father, leaving by his wife, Lady Isabel Lesly, youngest daughter of Andrew, fifth Earl of Rothes, three sons,

Mag. Sig. L. xxxiv. No. 531. L. xxxviii. No. 68.

1. *Henry*, fourth Lord Sinclair.

2. *James*, fifth Lord Sinclair.

3. *Patrick*, sixth Lord Sinclair.

VI. Henry, fourth Lord Sinclair, the eldest son, succeeded his grandfather 1601, came of age in March 1602, and died soon afterwards, without issue. His brother,

Inq. Ret. in Pub. Arch.

VI. James, fifth Lord Sinclair, was served heir of James, Master of Sinclair, his father, 12th March 1606, and died unmarried. His brother,

Ibid.

VI. Patrick, sixth Lord Sinclair, succeeded to him in title and estate, and died in 1615. He married Margaret, daughter of Sir John Cockburn of Ormistoun, and had issue,

Ibid.

1. *John*, sixth Lord Sinclair.

2. Colonel *Henry* Sinclair, who died at Dysart, 5th September 1670.

Lamont's Annals, MS.

Daughter, *Elisabeth*, married to Sir Dun-

Sinclair.

can Campbell of Glenurchy, and had one son, Patrick Campbell of Edinample.

VII. JOHN, sixth Lord SINCLAIR, the eldest son, born 29th October 1610; succeeded his father 1615; had charters of the barony of Ravenscraig, Newburgh, &c. 30th July 1631; and of Balhouffie, in Fife, to him and Lady Mary Wemyss his wife, 26th July 1637. He was a member of the committee of estates 1641, 1644, and 1645; and a privy councillor of the parliament, and colonel of the Fifeshire regiment of horse. He entered heartily into the "engagement" for the rescue of Charles I. in 1648; attended King Charles II. into England; was taken at the battle of Worcester in September 1651, and imprisoned till March 1660, when he was set free by Monk. He was excepted out of Cromwell's act of grace and pardon 1654, and died in 1676, in the 66th year of his age. He married, in 1631, Lady Mary Wemyss, eldest daughter of John, first Earl of Wemyss, and by her had one daughter,

Mag. Sig. L. liv. No. 57. L. lv. No. 333.

VIII. CATHERINE SINCLAIR, his sole heiress, who was married at Glasgow, 14th April 1659, to John St Clair, younger of Herdmanstoun. By the marriage contract her father was to have 5000 marks out of his estate for life, and his brother Harry 1000 marks. The St Clairs of Herdmanstoun derive their descent from Henry de Sancto Claro, vicecomes of Richard de Moreville, constable of Scotland, from whom, in 1162, he had a grant of the lands of Herdmanstoun, engraved in Anderson's Diplomata Scotiæ. These lands have been possessed, ever since that early period, by his descendants in the male line, and the Sinclair's of Herdmanstoun are entitled to be considered as the first family, in point of antiquity, in the county of Haddington. John St Clair, younger of Herdmanstoun, was eldest son of Sir John Sinclair of Herdmanstoun, who, by his wife Elisabeth Sinclair, had four sons: 1. John. 2. Robert, who died in 1709, without male issue. 3. George, married to Isabella, daughter of James Cunningham Durham of Pittan and Luffness, by whom he had one son, John, physician in Haddington, who died in 1742, without male issue. 4. Matthew. John St Clair, younger of Herdmanstoun, the eldest son, married Catherine, only daughter of John, Lord Sinclair, and by her, who was served heir of her mother Lady Mary Wemyss, Lady Sinclair, 10th May 1662, and died before her father, 13th July 1666, in childbed of her daughter, had three children,

Sinclair.

Inq. Ret. xxvi. 207.

1. *Henry*, seventh Lord Sinclair.
2. *John*, born 23d January 1663. Edin. Reg.
3. *Mary*, born 11th July 1666.

IX. HENRY ST CLAIR, the eldest son, born 3d June 1660, succeeded to the title and estates of his grandfather John, Lord Sinclair, in virtue of a designation made by him, approved of by King Charles II., who, by letters patent, dated 1st June 1677, in consideration of the antiquity, fidelity, and singular services of the family, and the loss that John, Lord Sinclair, had suffered from the late usurpers, who had seized his estates, and closely detained him in prison until the restoration, and as a token of royal favour for such fidelity, and to continue the title of honour and dignity of the family in the person of the said Henry, grandson of the said John, agreeably to the aforesaid designation, created the said Henry St Clair, grandson of John, Lord Sinclair, eldest son of his daughter Catherine, begotten between her and John St Clair, fiar (younger) of Herdmanstoun, and the heirs male of the body of the said Henry; whom failing, John St Clair, his brother-german, and the heirs male of his body; whom failing, Robert St Clair, and George St Clair, brothers-german of the said John St Clair, fiar of Herdmanstoun, deceased, and the heirs male of their bodies respectively; whom failing, the nearest lawful heir male of the said Henry St Clair, Lord Sinclair; and did confer upon him the title of dignity and honour of Lord Sinclair, with all the honours, dignities, and precedency in all parliaments and general assemblies of the states, as fully and freely as the said title was enjoyed by John, Lord Sinclair, deceased, or any of his predecessors, or as to them it was competent by the first original letters patent of the said honour and dignity. Henry St Clair, who thus became seventh Lord Sinclair, was so strongly attached to the abdicated family, that in the convention 1689, when

Robertson's Proceedings, 406.

he saw it was determined to forfeit James VII., and settle the crown on William and Mary, he protested against their proceedings, and left the house. Dying in March 1723, in his 63d year, he was buried at Dysart on the 14th of that month. He married, 30th December 1680, Grizel, daughter of Sir James Cockburn of Cockburn, and had issue,

Edin. Reg.

1. *John*, Master of Sinclair, born 5th December 1683, who was chosen Member of Parliament for the county of Fife, at the general election 1708; but his election was declared void, on account of his being the eldest son of a peer of Scotland, and a new writ was issued, 17th December 1709. Engaging in the rebellion 1715, he was attainted by act of parliament, and was in consequence obliged to fly from his native country, after making some stay at Kirkwall in Orkney, where the castle built by his ancestors afforded a melancholy subject of contemplation. He thought on the many not inconsiderable services rendered to the royal family by his ancestors, which occasioned the loss of their all in Cromwell's time. His father was the only man of the Scotish nation who had the courage to protest in parliament against King William's title to the throne, and this at a time when the losses in the cause of the royal family, and their usual gratitude, had scarce left him bread to maintain a numerous family of eleven children, who had soon after sprung up on him, in spite of all which he honourably persisted in his principles. Procuring a pardon in 1726, he returned home, and in 1735-6, obtained an act of parliament "to enable him to sue or maintain any action or suit, notwithstanding "his attainder, and to remove any disabi-"lity in him by reason of his said attain-"der, to take or inherit any real or per-"sonal estate that may or shall hereafter "descend or come to him." The title remained dormant from his father's death in 1723 to his own demise, which happened at Dysart, 2d November 1750, in the 67th year of his age. He married, first, in August 1733, Lady Margaret Stewart, eldest daughter of James, fifth Earl of Galloway, dowager of James, fifth Earl of Southesk, attainted in 1715, she died at Edinburgh, 22d July 1747; secondly, at Arnhall, 24th April 1750, Amelia, eldest daughter of Lord George Murray, sister of John, third Duke of Atholl, but had no issue by either. His relict married, secondly, at Dunkeld, 18th April 1754, James Farquharson of Invercauld, and had several children, of whom only Catherine survived, and brought the estate of Invercauld to her husband, Capt. James Ross, R. N. second son of Sir John Lockhart Ross of Balnagowan, baronet.

St. 1. Geo. I. c. 43.

Lay of the Last Minstrel, 340.

2. Hon. *James* St Clair, on whom his father settled his estate, which he generously gave up to his brother when his pardon was obtained. He acquired high reputation for experience and ability in the army, in which he had the rank of colonel, 26th July 1722; major-general, 15th August 1741; lieutenant-general, 4th June 1745; and general, 10th March 1761. He served several years in the third regiment of foot-guards, of which he was first major 1725; had the command of the 22d regiment of foot, 30th October 1734; and was, 17th June 1737, appointed colonel of the first, or royal Scots regiment of foot, which he commanded till his death. He was quarter-master-general of the British forces in Flanders, 1745. The next year, 1746, he was constituted commander in chief of a considerable body of land forces, embarked on board transports at Spithead, where a large squadron of ships of war had assembled to escort them to Quebec, to attack the French King in his Canadian dominions. The general spared no pains to obtain all necessary information relative to the country and to the service he was going on. After various delays, the ministry came to the resolution of employing them in a descent on the coast of Britany, in hopes of thereby obliging the French to draw off part of their troops from Flanders, where their army was superior to that of the allies. The suddenness of this resolution was matter of great surprise to the general, who had not so much as a map of the country, or a plan of any of the towns on the coast. On applying for them to the Duke of Newcastle, secretary of state, his Grace, with his usual confusion, sent him by express a map of Gascony instead of a chart of Britany. Admiral Lestock commanded the fleet; they sailed from St Helen's, 5th August 1746, but owing to

Sinclair.

contrary winds, did not leave Plymouth Sound till 14th September. General St Clair had under him Brigadiers-General Ofarrell, Graham, and Richbell, the first battalion of his own regiment the royals, the 15th, 28th, 30th, 39th, and 42d regiments of foot, and 200 artillerymen. They made a masterly landing in the face of the enemy, near Port L'Orient, 20th September; and after some skirmishing proceeded to that town, erecting batteries against it, from whence deputies were sent, 23d September, to treat about the surrender of the place. Deceived by the report of his engineers, who engaged to make a proper breach, or to lay the town in ashes in 24 hours, the general thought himself obliged to reject the terms as too favourable for the enemy. The bad state of his artillery, and insufficiency of ammunition, laid him under the necessity of calling a council of war, in which it was unanimously agreed to raise the siege, spike the guns, drag back the mortars, and reimbark the army, which was effected 28th September, the general being among the last to quit the ground. The troops then proceeded to Quiberon Bay, where they landed, 4th October, and the general, at the head of the royals and 42d, took possession of a fort in which were 18 guns. All the forts and guns on the peninsula of Quiberon and isles of Houat were destroyed, and the troops reimbarked, 17th October and returned to England. This expedition in a great measure answered the purpose of its destination; for an order was dispatched from Paris to Marshal Saxe to send a considerable detachment from the army in Flanders to Port L'Orient, but it did not reach him till after he had gained the battle of Rocoux. David Hume the historian acted as secretary to the commander-in-chief on this expedition, and he also attended general St Clair in the same capacity on his subsequent embassy to the courts of Vienna and Turin. The general was chosen Member of Parliament for Dysart, &c. at the general election 1722, rechosen 1727; for the county of Sutherland on a vacancy 1736, and at the general election 1741; for Dysart, &c. 1747; became entitled to the honour of Lord Sinclair on the death of his brother 1750, but did not assume the title, preferring a seat in the House of Commons. He was chosen for the county of Fife at the general election 1754, rechosen 1761, and died at Dysart, 30th November 1762, being then a general in the army, colonel of the royal Scots, governor of Cork, a major-general on the staff in Ireland, and Member of Parliament for Fife. He married Janet, born 31st March 1698, youngest daughter of the Hon. Sir David Dalrymple of Hailes, baronet, King's advocate, widow of Sir John Baird of Newbyth, but by her, who died at London, 8th January 1766, æta. 68, had no issue, and was succeeded in estate by his nephew James Paterson.

Sinclair.

3. Hon. *William* St Clair, appointed major of the first, or royal Scots regiment of foot, 10th July 1737, and dying without issue, was buried at St Andrews, Holborn, 20th May 1762.

4. Hon. *David* St Clair, who died before his father.

5. Hon. *Henry* St Clair, who died unmarried, and was buried at Dysart, 21st January 1756.

6. Hon. *Matthew* St Clair, who died unmarried, and was buried at Dysart, 3d April 1747.

1. Hon. *Grissel* St Clair, married to John Paterson of Prestonhall, son of John, Archbishop of Glasgow; she died 22d August 1737, leaving four children; Colonel James Paterson, who succeeding to the estates of his uncle General St Clair, assumed the name of St Clair, and died unmarried at Dysart, 14th May 1789, when these estates went to Sir James Erskine, baronet, and his personal property to his grand nephew, John Thomson of Charleton. Barbara, who died unmarried. Margaret, married 23d April 1744, to John Thomson of Charleton, in Fife, and had one daughter, Grissel Maria, heiress of Charleton, married to Colonel John Anstruther, brother of Sir Robert Anstruther of Balcaskie, baronet; their son, John Thomson of Charleton, succeeded his grand-uncle, Colonel James Paterson St Clair, in his personal property. Grissel, who died unmarried.

2. Hon. *Catharine* St Clair, born 14th July 1685, married to Sir John Erskine of Alva, baronet, M. P. grandmother of Sir James Erskine, baronet, who succeeding to

Edin. Reg.

the St Clair estates of Dysart, Roslin, &c. assumed the name and arms of St Clair, and on the death of his uncle Alexander, Earl of Rosslyn, in 1805, became second Earl of Rosslyn, as already mentioned at p. 216 of this volume.

3. Hon. *Mary* St Clair, married to Sir William Baird of Newbyth.

4. Hon. *Elisabeth* St Clair, married in July 1716, to David, third Earl of Wemyss, and had two daughters, Lady Elisabeth, Countess of Sutherland, and Lady Margaret, Countess of Moray.

5. Hon. *Margaret* St Clair, born at Edinburgh, 23d January 1688.

After the extinction of the male branch of Henry, seventh Lord Sinclair, the title came to the descendants of

I. Matthew St Clair, fourth son of his grandfather Sir John St Clair of Herdmanstoun, already mentioned. He was buried at Herdmanstoun, 11th November 1728. He married Elisabeth, youngest daughter of Sir Thomas Carre of Cavers, in the county of Roxburgh, and by her had two sons,

1. *Charles.*
2. *Andrew.*

II. Charles St Clair of Herdmanstoun, the eldest son, was admitted a member of the Faculty of Advocates 1722; did not assume the title of Lord Sinclair on its devolution to him 1762; and dying at Edinburgh 4th November 1775, was buried 9th November at Herdmanstoun. He married Elisabeth, daughter of the Hon. Sir Andrew Home of Kimmerghame, a Lord of Session, second son of Patrick, first Earl of Marchmont, High Chancellor of Scotland; and by her, who died at Edinburgh, 12th March 1784, had issue,

1. *Matthew*, born 17th February 1732, died young.

2. *Andrew.*

3. *Elisabeth*, born 11th January 1738; married, 28th September 1773, to Colonel James Dalrymple of the royal regiment of foot, and died at Edinburgh, 13th November 1811.

III. Andrew St Clair of Herdmanstoun, the only surviving son, born 21st July 1733, succeeded his father 1775, was of right tenth Lord Sinclair, but did not assume the title, and was buried at Herdmanstoun, 24th December 1776, æta. 44. He married 28th December 1763, Elisabeth, daughter of John Rutherford of Edzarstoun, in the county of Roxburgh, and had issue,

1. *Charles*, Lord Sinclair.

2. Hon. *Matthew* St Clair, promoted to the rank of master and commander in the royal navy 1797, and appointed to the command of the Martin sloop of war, of 16 guns, which sailed from Yarmouth to Heligoland, 1800, and was never more seen.

3. *Eleonora*, who died unmarried at Herdmanstoun, 18th September 1796.

IV. Charles St Clair of Herdmanstoun, the eldest son, born in 1768, succeeded his father 1776; had the title of Lord Sinclair adjudged to him, by the House of Lords, 25th April 1789; had an ensign's commission in the first or royal Scots regiment of foot, 6th October 1784; was afterwards lieutenant in the 17th regiment of foot, raised an independent company 1790, which being reduced, he exchanged into the 15th regiment of foot, of which he was made captain of a company, 18th February 1791; major, 15th September 1795; lieutenant-colonel, 26th November 1799; quitted the army 1802, in time of peace. In 1803, he accepted the lieutenant-colonelcy of the Berwickshire militia, which he resigned 1805; was chosen one of the sixteen representatives, of the Scotish Peerage, at the general election 1807; and was appointed to the command of the local militia of the county of Haddington in 1808.

His Lordship married at London, 13th February 1802, Mary Agnes, only daughter of James Chisholme of Chisholme and Stonedge, in Roxburghshire, and has issue,

1. Hon. *James* St Clair, born 1803.
2. Hon. *Elisabeth* St Clair, born 1804.
3. Hon. *Susan* St Clair, born 1806.
4. Hon. *Matthew* St Clair, born 1808.
5. Hon. *Charles* St Clair, born 1809, died 1810.
6. A son, born 8th June 1811.

Title.—Charles St Clair, Lord Sinclair.

Creation.—Lord Sinclair, 26th January 1488-9.

Sinclair.

ARMS.—Quarterly: 1st and 4th, Azure, a ship at anchor, her oars erect, in saltire, within a double tressure, with fleurs de lis counterflowered, Or; 2d and 3d, Azure, a ship under sail, Or; over all, an escutcheon argent, charged with a cross, engrailed, sable.

CREST.—A swan, argent, having a ducal collar and chain, Or.

SUPPORTERS.—Two griffins proper, armed and beaked, Or.

Sinclair.

MOTTO.—*Fight.*

SEAT.—Herdmanstoun, in the county of Haddington.

SOMERVILLE, LORD SOMERVILLE.

Somerville.

Caledonia, I. 509.

I. SIR GUALTER DE SOMERVILLE, the first of this antient race on record, accompanied William the Conqueror into England 1066, and obtained from him Whichnour, in Staffordshire, and Aston, from him called Somerville Aston, in Gloucestershire. He had at least three sons,

I. Sir GUALTER, ancestor of Sir Philip de Sommerville, of Whichnour, who there instituted the well known gift of a flitch of bacon, to the husbands who made oath that, for a year and a day after their marriage, they would not have changed their wives for any other.

2. *William.*

3. *Roger* Somerville of Somerville Aston, his son, or grandson. Sir John got the manor of Stockton, and other considerable possessions in Warwickshire, by his marriage with Cecilia de Limesie. From them descended Sir William Sommerville of Somerville Aston, who, in 1607, married Elisabeth, daughter of Sir Humphry Ferrars. The last of this house was William Somerville, author of the Chace, and other poems, who, in 1730, settled his estate on James, thirteenth Lord Somerville, and died 19th July 1742.

Chart. Melr. 54. Chart. Dunf. 163, 165, 184.

II. WILLIAM DE SOMERVILLE, the second son, attached himself to King David I. and settled in Scotland. He witnessed the foundation charter of Melrose by that monarch, 1136, and donations by him to the monasteries of Dunfermline and Kelso, also Earl Henry's grant to the monks of Holmcultram. From David he had a grant of the lands of Carnwath, and dying in 1142, was buried at Melrose. He had two sons.

Somerville.

Chart. St Andrews, 227, 238. Orig. Writs of Coldingham, 12, 13. Caledonia, 509. Chron. Melr. 206.

1. *William.*

2. *Walter*, who witnessed a charter of King Malcolm IV. together with Herbert, Bishop of Glasgow, betwixt 1154 and 1160.

Chart. Newb. 385, D.

III. WILLIAM DE SOMERVILLE, the eldest son, witnessed a charter of David I. to the abbacy of Kelso, 1144, and several charters of Malcolm IV. He died before 1161, leaving a son,

Caledonia, I. 509. Robertson's Index, 24. Dipl. Scot. 24. Chart. Glasg. 300.

IV. WILLIAM DE SOMERVILLE, who witnessed several charters of Malcolm IV. and William I. from whom it is said he obtained the lands of Linton, in the county of Roxburgh, 1174, for killing a serpent that infested that quarter. He is also said to have been the king's falconer, and father of

Chart. Newb. 384. St Andrews, 240, 255. Dunf. 184. Kelso, 150, 219, 322, 325. M. S. Hist. of the family, D.

V. WILLIAM DE SOMERVILLE, of Linton and Carnwath, who, it is said, distinguished himself at a tournament at Roxburgh, before Alexander II. and married

Ibid.

Somerville. Margaret, daughter of Walter de Newbigging, Lord of Dunsyre, by whom he had a daughter, Margaret, married to Sir Archibald Campbell of Lochow, and a son,

Contr. penes D. Somerville.

VI. Sir WILLIAM DE SOMERVILLE, who signalized himself at the battle of Largs, 2d October 1263, witnessed a charter of Henry de Halyburton, of the lands of Molla, to the monastery of Kelso, 1270, and a bond of manrent betwixt Sir Walter de Newbigging and Sir David of Towie 1281. He, cum consilio Willielmi patris sui, gave to the episcopal see of Glasgow the church of Carnwath, for the welfare of the souls of him and his heirs for ever. He died in 1282, leaving a son,

Chartul. of Kelso, 149. MS. Hist. of the Family. D.

Crawf. Peer. 443.

VII. Sir THOMAS DE SOMERVILLE of Linton and Carnwath, who appeared in the convention at Brigham, 12th March 1289-90, when the marriage of Margaret and Prince Edward was proposed. Thomas de Somervyll, chivaler, swore fealty to King Edward I., 15th May 1296; joined Sir William Wallace in 1297; made several donations to the monks of Melrose out of his barony of Linton, and died about 1300, leaving two sons,

Fœdera, II. 472. Prynne, III. 849.

1. Sir *Walter*.

2. Sir *John*, one of the adherents of King Robert I., taken by the English 1306.

Ibid. III. 1123.

VIII. Sir WALTER DE SOMERVILLE of Linton and Carnwath, the eldest son, was one of the chief associates of King Robert I. in his arduous attempt to restore the liberties of Scotland, 1306, and died about 1330. He married Giles, daughter and heiress of Sir John Herring, with whom he got the lands of Gilmerton, Drum, and Goodtrees, and had three sons,

Dalr. Ann. II. 2.

1. Sir *James*, killed at the battle of Durham 1346.

2. Sir *Thomas*.

3. *Richard*, who witnessed a charter of Donald, Earl of Lennox, 1340.

Chartul. of Lennox, 66. D.

IX. Sir THOMAS SOMERVILLE of Linton and Carnwath, was engaged in the battle of Durham 1346. Thomas Somervyll de Scotia had a safe conduct into England to visit Canterbury, to pay his devotions at the shrine of Thomas a Becket, 26th October 1362. Thomas Somervill de Scotia, chivaler, had a safe conduct to the same effect, 26th April 1363. Thomas de Somervill de Scotia had a third to the same effect, 8th June 1364. Thomas de Somervyle, miles, had a safe conduct to go through England to visit St John of Amboise, 20th March 1366; and he died before 1370. He married, first, Elisabeth, daughter of Sir James Douglas de Loudonia, by whom he had two daughters, the eldest married to Sir John Sandilands of Calder, [qu.?] the youngest to Sir Laurence Baird of Posso, and three sons,

Fœdera, VI. 268, 407, 443, 497.

Somerville.

1. Sir *William*.

2. *Thomas*, who obtained from his father the lands of Gilmerton, Drum, and Goodtrees, which returned to the family on his death without issue.

3. *John* de Somerville, to whom his father gave part of the lands of Newbigging. Magister Johannes Somerville witnessed a charter of Laurentius de Haya, Dominus de Erskyndy, 30th November 1376. He married, secondly, Maria de Wans, as a papal dispensation was obtained in June 1354, for the marriage of Thomas Somervile, Dominus Castri de Carneswych, and Maria de Wans.

Robertson's Index, 118.

A. Stuart, 436.

X. Sir WILLIAM DE SOMERVILLE of Linton and Carnwath, the eldest son, succeeded his father. Le fitz et heir Monsieur Thomas Somervill was one of the hostages named for the release of David II. by treaty, 13th July 1354. William, fitz et heir Seigneur Thomas Somervill, was one of the hostages named for his Majesty in August 1357, and in the treaty concluded, 3d October 1357, to that effect, he is specified as William, fitz et heir Mousieur Thomas de Somervyle. A charter was granted by King Robert II., 27th June 1372, of half of the barony of Manuel in Stirlingshire, to William de Somerville and Katherine his wife, on the resignation of Christian Cronsur. He died 1403, leaving two sons,

Fœdera, V. 792 VI. 35, 48.

Reg. Mag. Sig. 91, 123.

1. Sir *Thomas*.

2. *William*, ancestor of the Somervilles of Cambo.

XI. THOMAS DE SOMERVILLE, the eldest son, had a charter from King Robert

Ibid. 198.

Somerville.

III., dated in July 1391, confirming Thomæ de Somerville, filio et hæredi Willielmi de Somerville, militis, and to Jonet Stewart his wife, the barony of Cambusnathane in Lanarkshire, on the resignation of Alexander Stewart of Derneley, knight, and Johanna his wife, reserving to the said Alexander and Johanna the liferent of the same. He made a donation to the monastery of Lesmehago, witnessed by his brother William, in 1421, confirmed by James I. 1427. Thomas Somervile de Carnwyth had a safe conduct to England to meet King James I., 13th December 1423, and Thomas, Dominus de Somervile, was one of the guarantees of the treaty for his release, 28th March 1424. Thomas Somervyle de Carnwath granted a charter of mortification of an annualrent out of the lands of Manuel, for a chaplain at the altar of St Mary, infra monasterium Sancti Mathuci, 3d June 1424. Thomas Somerville ejusdem, was one of the jury on the trial of Murdac, Duke of Albany, in May 1425; held the office of justiciary of Scotland south of the Forth, being so designed in a decreet, 4th November 1430, and appears to have been created a peer the same year, Thomas, Dominus Somervile, being one of the conservators of a truce with the English, 15th December 1430. He is, however, stiled Thomas, Dominus de Somervile, when he was one of the conservators of another truce, 20th March 1438. He died in 1445, leaving by his wife Janet, daughter of Sir Alexander Stewart of Derneley, with whom, as already mentioned, he got the barony of Cambusnethan, a son,

In Pub. Arch. D.

Fœdera, X. 309, 332.

Mag. Sig. L. ii. No. 2. L. iii. No. 6.

Fordun, II. 483.

Penes D. Somerville. D.

Fœdera, X. 487, 695.

William, second Lord Somervile;—and three daughters

1. *Mary*, said to have been married to Sir William Hay of Yester, who got with her the lands of Auchtermure. [qu. ?]

2. *Giles*, married to Sir Robert Logan of Restalrig.

3. *Margaret*, said to have been married, first, to [Roger] Kirkpatrick of Closeburn; secondly, to Sir Thomas Kerr of Fernihirst. [qu. ?]

XII. William, second Lord Somerville, the only son, was served heir of his father in the baronies of Linton and Cambusnethan in June 1445. Willielmus, Dominus de Somervyle, had a safe conduct as a commissioner to treat with the English, 16th October 1449. Dominus Willielmus Somervill was a conservator of the truce concluded in November following. Willielmus, Dominus de Somervyle had a safe conduct into England, 17th April 1451, as a commissioner to settle infractions of the truce; again, 5th July 1451. Dominus, Willielmus Somervill, was a conservator of a truce, 14th August 1451; again, 23d May 1453, under the designation of Willielmus, Dominus Somerveill. A charter was granted, 2d June 1451, Willielmo, Domino Somerville, erecting the town of Carnwath into a free burgh of barony; he affixed his seal to the act of forfeiture against the Douglasses in June 1455; and he died in 1456. He married Janet, daughter of Sir John Mowat of Stanhouse, and by her had issue,

Retour penes D. Somerville. D.

Somerville.

Fœdera, XI. 242, 253, 283, 286, 300, 423.

Mag. Sig. L. iv. No. 207.

Pinkerton, I. 492.

1. *John*, third Lord Somerville.

2. *Thomas* Somerville of Plane, in Stirlingshire, who had a charter, Thomæ Somerville, filio Willielmi, Domini Somerville, et Elisabethæ de Erth, uni heredum quondam Willielmi de Erth, of part of the lands and baronies of Plane, Crannok, and Glorat, in Stirlingshire, and Fordale in Fife, 26th February 1449-50.

Mag. Sig. L. iv. No. 3.

1. *Janet*, married to Ralph Weir of Blackwood.

2. *Mary*, married to William Cleland of Cleland.

XIII. John, third Lord Somerville, was engaged in the battle of Sark against the English, 1448; was one of the conservators of a truce with them, 11th June 1457, and 12th September 1459. A letter of remission and rehabilitation under the great seal was granted to John, Lord Somerville, 6th April 1459. He attended King James II. at the siege of Roxburgh, where his Majesty was killed, 1460; and was concerned with the Boyds in carrying off King James III. from Linlithgow to Edinburgh, 9th July 1466, for which a pardon under the great seal was granted to him by parliament, 13th October 1466. He had a charter of the barony of Cambusnethan, and half of the barony of Stanhouse in Lanarkshire, to him and Mariota

Hist. Fam. of Somerville. D.

Fœdera, XI. 302, 434. Mag. Sig. L. v. No. 101.

L. vii. No. 91.

L. viii. No. 12.

Somerville.

Bailze his wife, 29th April 1477. He often entertained King James III. at his seat near Carnwath; and was dead before 14th February 1491-2, when a cause was brought before the lords auditors by Marion, Lady Somerville, Sir William Baillie of Lamington, John and Thomas Somervilles, executors and assigns of the deceased John, Lord Somerville, against James Douglas, son and heir of the deceased William Douglas of Drumlanrig, and others, for the wrongous withholding from them of the sum of 1000 marks, for contract of marriage completed betwixt the deceased William Somerville, the son and heir of the said deceased John, and Jonet, daughter of the said deceased William Douglas. He married, first, Helen Hepburn, sister of Patrick, first Earl of Bothwell, by whom he had a son,

Acts Auditorum, 165.

William;—and two daughters,

1. *Elisabeth*, married to Archibald, son of Duncan, Lord Campbell, and was mother of Colin, Earl of Argyll.

2. *Helen*, married to Sir John Jardine of Applegirth.

He married, secondly, Mariot, daughter of Sir William Baillie of Lamington, by whom he had issue.

Sir *John* Somerville, who got from his father the barony of Cambusnethan, of which he had a charter, 20th July 1488; he also had a charter, Johanni Somerville de Cambusnethan militi, of part of Gilmerton, 17th March 1503-4. He was killed at Flodden, 9th September 1513; and by Elisabeth his wife, daughter of Carmichael of Balmeadie, was ancestor of the Somervilles of Cambusnethan. John Somerville, son and heir of John Somerville of Cambusnethan, had a charter to him and Jonet Hepburn his wife, of the lands of Gilmortoun and Guttaris, terris et loco de Drum exceptis, 13th March 1511-2.

Mag. Sig. L. xii. No. 11. L. xiii. No. 362. L. xxiii. No. 26.

Mary, married to Sir Stephen Lockhart of Cleghorn.

XV. William, Master of Somerville, had a charter Willielmo Somerville, filio et haredi apparenti Joannis, Domini Somerville, of the baronies of Carnwath and Linton, and the superiority of Gilmoretoun, on his father's resignation, 2d May 1477, and died in 1488. He married first, Marjory Montgomery, sister of Hugh, first Earl of Eglintoun, by whom he had two sons,

L. xviii. No. 10.

L. viii. No. 10.

1. *John*, fourth Lord Somerville.

2. *Hugh*, fifth Lord Somerville.

Somerville.

Secondly, Jonet, daughter of William Douglas of Drumlanrig, but had no issue by her; who married, secondly, Sir Alexander Gordon of Lochinvar.

XV. John, fourth Lord Somerville, the eldest son, had a charter of the barony of Carnwath, Johanni Domino Somerville, 13th March 1507-8. A summons was raised at the instance of Hugh, his brother, and apparent heir, against Elisabeth Carmichael, the wife of the deceased Sir John Somerville of Cambusnethan, knight, that where the said Lord Somerville is not of perfect wisdom and knowledge to rule and guide his lands and goods, of the which the said Hugh ought to have the rule and governance, and was debarred therefrom by the said deceased Sir John, and now likewise the said Elisabeth withholds the said John Lord Somerville, in the house of Cuthole, and will not deliver him to the said Hugh. The Lords of Council dismissed the complaint, 23d November 1513. He died without issue.

Mag. Sig. L. xiv. No. 476.

Rec. Parl. 924.

XV. Hugh, fifth Lord Somerville, succeeded his brother, and sat in Parliament 16th November 1524. He had charters to him and Janet Maitland, his wife, of the lands of Braxfield, in Lanarkshire, 23d July 1524, and of part of the barony of Carnwath, 25th August 1526; and to himself of Lintoun, in Roxburghshire, 10th April 1538, of Woodend, 4th January 1539-40, and of Libertoun, in the barony of Carnwath, 31st December 1540. He made donations to the Hospital of St Mary Magdalen of Edinburgh, of L. 140 per annum, out of his barony of Carnwath, 1540, and of L. 20 more 1541. He was taken at the rout of Solway, in November 1542, and was placed in the custody of Lord Audley; his income was estimated at 400 merks sterling, and he was ordered to be released 1st July 1543, on payment of 1000 merks sterling. He supported the match betwixt Queen Mary and Prince Edward, being zealous for the interest of

Rec. Parl. 543. Mag. Sig. L. xxi. No. 125. L. xxv. No. 7. L. xxvi. No. 178. L. xxvii. No. 96, 217.

Writs of the Family. D.

Lodge.

Fœdera, XIV. 797.

Sadlers Letters, I. 99.

Henry VIII., from whom he had a pension of 200 marks, and died in 1549. He married Janet, daughter of William Maitland of Leithington, by whom he had issue,

1. *James*, sixth Lord Somerville.

2. *John*, who died without issue.

3. *Hugh*, ancestor of the Somervilles of Spittal.

1. *Margaret*, married to Charles Murray of Cockpool, from whom she had a charter of Ardbigland, 28th January 1547-8. Mag. Sig. L. xxx. No. 247.

2. *Marjory*, married to James Tweedie of Drumelzier.

3. *Elisabeth*, married to Sir John Carmichael of Carmichael.

XVI. James, sixth Lord Somerville, the eldest son, was either taken prisoner at the Solway 1542, or sent as an hostage for his father to England 1543. Sir Ralph Sadler wrote to King Henry VIII. 1st May 1543, "My Lord Somerville maketh "special suit to have his son home, who "is very sick of the stone, and offereth "as good or better pledges for him till "he be whole, assuring me that if he "may not come home for help, to be "cut of the stone, which disease he hath "by kind, he is like to be in great peril of "death." He succeeded his father; had a charter to James Lord Somerville, and Agnes Hamilton his wife, of part of the barony of Carnwath, 25th June 1550. He opposed the reformation, saying, with the Earl of Atholl, and Lord Borthwick, that he would believe as his fathers had done before him; joined Queen Mary at Hamilton, in May 1568, with 300 horse, at whose head he fought at the battle of Langside, where he was severely wounded; and he died in December 1569. He married Agnes, daughter of Sir James Hamilton of Finnart, by whom he had two sons, Sadler, I. 182. Mag. Sig. L. xxx. No. 602.

1. *Hugh*, seventh Lord Somerville.

2. ——, who got part of the barony of Carnwath from his father, and whose posterity still subsists.

1. *Margaret*, died without issue.

2. *Agnes*, married to Somerville of Plain.

XVII. Hugh, seventh Lord Somerville, the eldest son, was served heir of his father 1571, had a charter of the lands of Gilmerton, Drum, and Guttaris, 1578, In Pub. Arch. D.

built the house of Drum 1585, was a privy councillor to King James VI. and died in 1597. He married Eleanor, daughter of George, Lord Seton, and by her had sixteen children, of whom eight died young; the others were four daughters, one married to Hamilton of Stonyflat, another to Mr Somerville; the remaining two died unmarried; and four sons,

1. *William*, who had a remission under the great seal, Willielmo Magistro de Somerville, pro arte et parte interfectionis quondam Roberti Somerville, sui fratris, per negligenter commissi, 26th January 1587-8. He died before his father, without issue. Mag. Sig. L. xxxvii. No. 318.

2. *Robert*, accidentally killed by his brother, as appears from the remission just cited.

3. *Gilbert*, eighth Lord Somerville.

4. *Hugh* Somerville of Drum.

XVIII. Gilbert, eighth Lord Somerville, the eldest surviving son, succeeded his father 1597. He splendidly entertained King James VI. at his castle of Cowthaly, (called by the king in a jocular way, Cowdaily, because he observed a cow and ten sheep killed daily,) and by his extravagance run through his estate. It is remarkable that the title of Lord Somerville does not occur in the ranking of the nobility 1606. Gilbert, Lord Somerville, was served heir of James, Lord Somerville, his grandfather, in the part of the barony of Braxfield, in Lanarkshire, 10th April 1611, and died in 1618; he married Margaret, daughter of John Somerville of Cambusnethan, by whom he had a son, Inq. Ret. Ir. 402.

James, who died an infant; and three daughters,

1. *Mary*, married first to James, Lord Torphichen, without issue, secondly, to William Douglas of Pumpherstoun, and had one son, Sir Joseph Douglas of Pumpherstoun, who was drowned coming down to Scotland, with the Duke of York, 1682.

2. *Margaret*, married to Sir Humphry Colquhoun of Balvie, brother of Sir John Colquhoun of Luss, without issue.

3. ——, married to Stewart of Minto, without issue.

XVIII. Hugh Somerville of Drum, second son of the seventh Lord, became

Somerville.

entitled to the honours of Somerville on the death of his brother Gilbert, but did not take them up. He got from his father the lands of Gilmerton, Drum, and Guttaris, of which he had a charter of confirmation, 3d February 1626; and he had another charter to him and Margaret Hamilton his wife, and James Somerville, their son and heir, of the teinds of the same, dated 1631, confirmed 15th March 1634. He died at Drum in 1640, in the 70th year of his age, and was buried in Libberton church, leaving issue by Margaret his wife, daughter of Gavin Hamilton of Raploch,

In Pub. Arch. D.

1. *James.*
2. *Gavin.*
1. *Jean*, married to James Tenant of Cairns.
2. *Margaret*, died without issue.

XIX. JAMES SOMERVILLE of Drum, properly tenth Lord Somerville, had a charter, Jacobo Somerville, filio legitimo natu maximo quondam Hugonis Somerville de Drum, et Liliæ Bannatyne suæ sponsæ, of the lands of Gilmerton, &c. 2d December 1644, and another charter of the barony of Drum, &c. to him, 28th January 1670. He served with reputation in the French and Venetian service, and had the rank of lieutenant-colonel in the army on his return home. Dying 3d January 1677, he was buried at Holyroodhouse. By Lilias his wife, daughter of Sir James Bannatyne of Newhall, a lord of session, he had a son,

Ibid. D.

XX. JAMES SOMERVILLE of Drum, properly eleventh Lord Somerville, succeeded his father 1677; he was one of the three jurymen on the trial of Campbell of Cessnock in March 1684, who complained against the pains taken by the King's advocate to elicit testimony against Campbell; and when they were reproved for meddling too much, they boldly replied, that it concerned them and their consciences, to see that the probation was fair and equal. They were indicted for a riot in interrupting the court on that trial, but it was passed over. James Somerville of Drum died in 1690. He married, first, Martha, daughter of Bannatyne of Corhouse, by whom he had three sons.

Fountainhall, I. 289, 292.

1. *James.*
2. *John*, lieutenant-colonel to General Ramsay's regiment.
3. *George*, adjutant-general to the foot-guards.

Somerville.

He married, secondly, 15th March 1685, Miss Margaret Jamieson, without issue.

Edin. Reg.

XXI. JAMES SOMERVILLE, younger of Drum, the eldest son, was mortally wounded in a drunken quarrel by Thomas, son of Thomas Learmonth, advocate, with the sword of Hugh Paterson, younger of Bannockburn, 8th July 1682. He lived a day or two afterwards, forgave Learmonth, and desired him to fly, and it was alleged that the wound was rendered mortal by bad management. He married, in 1671, Elisabeth, daughter of George Graham, merchant in Edinburgh, by whom he had a son,

Fountainhall, I. 187.

XXII. JAMES SOMERVILLE, properly twelfth Lord Somerville, who was born in 1674, and at his baptism there were present James his father, James his grandfather, and James his great-grandfather, four generations in a direct line, and all the first born of their parents. He was served heir in general of his father, 21st December 1682, and died 4th December 1709, leaving issue by his wife Margaret, daughter of Murray of Deuchar, of the family of Philiphaugh,

Inq. Ret. XXXVII. 56.

1. *James.*
2. *George* Somerville of Dinder, in the county of Somerset, who died 6th July 1776. He had issue, 1. Rev. George Somerville of Bilney, in the county of Gloucester, married, in June 1777, to Miss Seaman of Salisbury, grand-daughter of the Bishop of Bath and Wells, but had no issue. 2. Anne Vanne, married to the Rev. Mr Fownes of Rittery, in the county of Devon. 3. William, first lieutenant to Sir Alexander Hood, now Lord Bridport, who was killed bringing off the troops from St Cas, receiving eight shots through his breast, 10th September 1758. 4. Maria, unmarried,
3. *John*, died without issue.
4. *William*, died without issue.
1. *Euphemia*, born 26th June 1696, died unmarried.

Somerville.

2. *Elisabeth*, died unmarried.

XXIII. JAMES, thirteenth Lord SOMERVILLE, the eldest son, at the keenly contested election of a representative peer of Scotland in 1721, claimed to be admitted to the privilege of a peer, which was refused, and he entered a protest thereupon. At the general election, 21st April 1722, the same occurrences took place; but at the election 15th August 1722, the list of Lord Somerville was received. He presented to the King the humble petition of James, Lord Somerville, praying that his Majesty would be pleased to give directions for declaring and establishing his right to the honour and dignity of Lord Somerville, which petition was, by his Majesty's command, referred, 25th May 1723, to the House of Lords, by whom it was resolved and adjudged, 27th May, that James, Lord Somerville, had a right to the dignity of Lord Somerville, and ought to be placed in the list or roll of peers of Scotland, in the place in which his ancestor the Lord Somerville sat in parliament 15th February 1524, with a saving, nevertheless, as well to the said Lord Somerville, as to all other peers of Scotland, their rights and places, upon further and better authority shewed for the same. He protested for precedency before all the barons at the election 13th June 1723, and again, 20th September 1727. He was chosen one of the sixteen representatives of the Scotish peerage at the general election 1741, succeeded on the death of William Somerville, author of the Chase, in 1742, to the antient family estate of Somerville Aston in Gloucestershire, which he greatly improved. He built the elegant house of Drum, and laid out the plantations there in great taste; was appointed one of the lords of the police in 1744, and died at Drum, 14th December 1765.

Robertson's Proceedings, 85, 95, 97, 102, 110, 114.

His Lordship married, first, in 1724, Anne, uterine sister of William, Earl Brooke and Earl of Warwick, only daughter of Henry Bayntun of Spyepark in Wiltshire, by Lady Anne Wilmot, eldest daughter of John, Earl of Rochester, sister and coheiress of Charles, last Earl of Rochester of that family. She was first married to Edward Rolt of Sacombe Park, in Hertfordshire, by whom she had issue; her second son, Edward Rolt, took the name of Bayntun on succeeding to the estate of the Bayntuns at Spyepark, and was created baronet, 9th July 1762. By Lord Somerville she had three children,

Somerville.

1. *James*, fourteenth Lord Somerville.

2. Hon. *Hugh* Somerville.

Daughter, Hon. *Anne Whichnour* Somerville, married, 23d December 1748, to George Burges, Esq. and died 29th October 1778. Mr Burges was born 17th May 1725, went into the army 1745, was aide-de-camp and secretary to General Bland, commander in chief of the forces in Scotland, afterwards secretary and receiver-general of the garrison of Gibraltar. He was appointed commissioner of excise in Scotland 1758, comptroller of the customs there, 1768, and died 16th March 1786. Their issue were Sir James Bland Burges, M. P. created baronet of Great Britain, 31st October 1795, and two daughters, Frances Anne, born 10th September 1753, married 28th March 1781, to Francis Roper Head of Hermitage in Kent, and Mary Anne, born December 1763, unmarried.

Lord Somerville married, secondly, in 1736, Frances, daughter and coheiress of John Rotherham of Muchwaltham in Essex, and by her, who died at Drum, 13th May 1755, had an only child,

Hon. *Elisabeth* Somerville, born at London, 16th September 1737, died at Holyroodhouse in 1740.

XXIV. JAMES, fourteenth Lord SOMERVILLE, the eldest son, served several campaigns with great credit; he was an officer of the second regiment of dragoon-guards, in which he had a troop 1751, the majority 1761, the lieutenant-colonelcy 1763, and quitted the army 1764. He succeeded his father in 1765; and at the general election 1790, was one of the six peers next to the thirteen chosen, who were returned as having an equal number of votes. Two of these six were found duly elected; and a new election was ordered for one to make up the sixteen, when Lord Somerville was chosen, 7th August 1793. His Lordship died at London, 16th April 1796, unmarried. His brother,

XXV. Hon. HUGH SOMERVILLE, was

also an officer of the second regiment of dragoon guards, in which he had a troop 1753, and was appointed major of the sixteenth light dragoons, 1759. He accompanied that regiment to Portugal 1762; was in the party under brigadier-general Burgoyne that attacked the Spanish army in the town of Valenza d' Alcantara, 27th August 1762, when they entirely destroyed one of the best regiments in that service, and took a general, a colonel, two captains, and seventeen subalterns prisoners. He was promoted to the lieutenant-colonelcy of the same regiment 1763, quitted the army not long afterwards, and died at York-House, Clifton, 7th May 1795. He married, first, at Lydiard near Taunton, 23d November 1763, Miss Elisabeth Lithbridge of Westaway, in the county of Devon, and by her, who died at Lydiard, 11th October 1765, had one son,

John, fifteenth Lord Somerville.

He married, secondly, 26th April 1778, Mary, eldest daughter of the Hon. Wriothesley Digby, of Meriden, in the county of Warwick, and by her, who died 8th September 1794, had issue.

1. *Hugh*, placed on the Bengal civil establishment in 1794.

2. *Mary*, married to the Rev. C. Digby.

3. *Francis*.

4. *Mark*, an officer in the royal regiment of artillery.

5. *Kenelm*, master and commander in the royal navy.

6. *William*, an officer in the royal navy.

7. *Julia Valenza*, born on the anniversary of the capture of Valenza d' Alcantara by her father.

XXV. JOHN, fifteenth Lord SOMERVILLE, F. R. S. the eldest son, born in October 1765, succeeded his uncle 1796, was chosen one of the sixteen representatives of the Scotish peerage, at the general election same year; rechosen in 1802, and 1806; elected president of the Board of Agriculture 1798, and appointed one of the Lords of the bed-chamber 1799. His Lordship was educated at Harrow school, and St John's College, Cambridge, where he took the honorary degree of A. M. and afterwards travelled over the continent, in company with Francis, Duke of Bedford. Moving in the first circles of fashion, his Lordship was at the same time attached to agricultural pursuits, and made his first essays in improvement on one of his estates in Somersetshire, in which he completely succeeded. In 1794, his Lordship wrote a spirited pamphlet, urging the yeomanry to arm and defend their property, and he raised a corps of fencibles, of which he was constituted colonel. The state of his health rendering a change of climate necessary, his Lordship in 1799 visited Lisbon, where he employed himself in a national undertaking of the first importance, the obtaining a stock of the celebrated Merino sheep, for the purpose of introducing them into Britain, and thus rendering our clothiers independent of Spain for the indispensable article of their wool. This patriotic scheme his Lordship accomplished with considerable difficulty and no small risk. His Lordship called the attention of the farmers to the cultivation of hemp, and to the employment of oxen instead of horses in agriculture; made several improvements in implements of husbandry; exerted himself to introduce the humane practice of slaughtering oxen, by laying them; and instituted an annual shew, with premiums at his own expence, calculated to discountenance the excessive and wasteful fattening of cattle, and to promote an extension of the most useful labouring breeds.

TITLE.—John Somerville, Lord Somerville.

CREATION.—Thomas Dominus Somerville, occurs in the Fœdera 15th December 1430; but the date of the creation is not certainly known.

ARMS.—Quarterly: 1st and 4th, Azure, three stars, two and one, accompanied with seven cross crosslets fitchee, three, one, two, and one, argent: 2d and 3d, Argent, three leopards heads, affrontee, in fess, between three annulets, two in chief, and one in base, gules.

CREST.—On a wheel, Or, a dragon, vert, spouting fire.

Somerville.

SUPPORTERS.—Two hounds, proper, collared, gules.

MOTTO.—*Fear God in Life.*

CHIEF SEATS.—Somerville Aston, in the county of Gloucester; Langlee, in Roxburghshire.

Somerville.

CARNEGY, EARL OF SOUTHESK.

Southesk.

IN the reign of King David II. Walter Maule granted to John, son and heir of the deceased John, son of Christian de Balinhard, a charter of the lands of Carnegy in the barony of Panmure in Forfarshire, and from them John Balinhard took the name of Carnegy.

Crawf. Peer. 446. Hadd. Coll. D. Robertson's Index, 61.

I. DUTHAC DE CARNEGY obtained from Robert Duke of Albany, governor of Scotland, a charter dated 21st February 1409-10, confirming Duthaco de Carnegy, omnes et singulas terras villæ de Kynnard, et superioritatem brasinæ ejusdem, on the signation of Mariota de Kynnard. This estate of Kinnaird still belongs to the family; it is said Duthac de Carnegy fell at the battle of Harlaw, in 1411, leaving an infant son.

Reg. Mag Sig. 244.

II. WALTER DE CARNEGY of Kinnaird, who was engaged on the part of the Earl of Crawford, at the battle of Brechin, 18th May 1452, when they were defeated by the royal troops, under the command of the Earl of Huntly; and his house of Kinnaird was burnt by order of Huntly. Walter Carnegy of Carnegy, and John his son, are mentioned in a perambulation of the muir of Balnamoon, 27th July 1456. He died in 1478, leaving a son,

Martin's Coll. I. 331, D.

Chartul. of Arbroath, D.

III. JOHN DE CARNEGY of Kinnaird, who 4th November 1479, had a grant from his cousin David, Earl of Crawford, of a liferent out of the lands of Glenesk; and dying in 1508, left a son,

Crawf. Peer. 446.

IV. JOHN DE CARNEGY of Kinnaird, who fell at the battle of Flodden, 9th September 1513, leaving by his wife, a lady of the name of Vaus, a daughter, *Janet*, married to William Maule of Boath, and a son,

Southesk.

V. Sir ROBERT CARNEGY of Kinnaird, who had charters of Glenessok, and Couthlie in Perthshire, 14th April 1535; of Littlecalcary, in Forfarshire, 4th April 1547; of Murdocarny in Fife, 7th June 1548; of Feitheis in Forfarshire, 3d March 1549-50; of Carriden in the county of Linlithgow, 18th February 1551-2; of Panbride, in Forfarshire, 7th December 1552; of Aithie, in the same county, to him and Margaret his wife, and John his son and heir apparent, 12th September 1555; of part of Arrol in the same county, 20th July 1559; and of Vogrie, in the shire of Edinburgh, from James Earl of Bothwell, 23d March 1563. He was appointed one of the Senators of the College of Justice, 4th July 1547; was sent to England next year, to treat for the redemption of the Earl of Huntly, chancellor of Scotland, taken at the battle of Pinkie, and was knighted on his return. He was ambassador to France 1551; had a great hand in persuading the Duke of Chatelherault to resign the regency to Mary of Lorrain; was a commissioner to treat with the English 1555 and 1557; was sent by the Lords of the Congregation, in 1559, to France, to explain their views to Queen Mary; and died 5th January 1565. By Margaret his wife, daughter of Guthrie of Lunan, he had issue,

Mag. Sig. L. xxv. No. 201. L. xxx. No. 102, 260, 540, 743, 765. L. xxxii. No. 317, 498, 552.

1. Sir *John* Carnegy of Kinnaird, a faithful and loyal subject of Queen Mary; he had charters to John, son and heir apparent of Robert Carnegy of Kinnaird, and to Ag-

Southesk.

Mag. Sig. L. xxx. No. 104, 410. 541. L. xxxii. No. 485. L. xxxviii. No. 248, 249, 250.

nes Wood, his wife, of the lands of Erlisfield, in Aberdeenshire, 3d December 1546; to them of Balbardy in Fife, and Lundertheres in Forfarshire, 4th October 1548, and penult. Feb. 1549-50. A charter of the barony of Kinnaird was granted 25th March 1565, to John Carnegy, son and heir apparent of Robert Carnegy of Kinnaird, and the heirs male of his body, remainder to David Carnegy of Panbride, brother of John, John Carnegy third son of Robert, Robert the fourth, James the fifth, Hercules the sixth, and William the seventh, sons of Robert, and the heirs male of their bodies respectively, which failing, to the nearest heir male of John, bearing the name and arms of Carnegy. Sir John Carnegy of Kinnaird, had a charter of Arntullie, &c. in Aberdeenshire, 29th July 1591; another to him and David Carnegy of Coluthie, his brother, of the barony of Kinnaird, 14th October 1591; and a third to them of the barony of Aithie, 2d November 1591. He married first, Agnes, daughter of David Wood, of Craig, comptroller of Scotland, by whom he had a daughter, Margaret, married to Patrick Kinnaird of Kinnaird, who granted a charter of the dominical lands of Kinnaird, 6th December 1567, to Margaret Carnegy, legitimate daughter of Sir John Carnegy of Kinnaird, knight. He married, secondly, Margaret Keith, without issue.

2. *David.*

Mag. Sig. L. xxxi. No. 365.

3. *John*, who had a charter of the barony of Many in Aberdeenshire, to John Carnegy, third son of Sir Robert Carnegy of Kinnaird, knight, and Margaret Waus, his wife, from her father John Waus of Many, dated 22d January 1555-6.

4. *Robert*, preceptor of the Maison Dieu of Brechin.

5. *James*, ancestor of the Carnegys of Balmachie.

6. *Hercules* Carnegy of Cookstoun.

7. *William* Carnegy of Futhie.

1. *Margaret*, married to Sir James Scrimgeour of Dudhope, constable of Dundee.

2. *Helen*, married, first, to William Lundie of Benholm; secondly, to Robert Turing of Foveran.

3. *Elisabeth*, married to Andrew Arbuthnott of Arbuthnott.

4. *Catharine* married to David Ramsay of Balmain.

Southesk.

5. *Isabel*, married to Gordon of Glenbucket.

6. *Jean*, married to the Laird of Colliestoun.

7. *Mary*, married to Strachan of Carmylie.

VI. DAVID CARNEGY of Panbride, the second son, was designed of Colithie, an estate he acquired by his marriage with Elisabeth, daughter of William Ramsay of Colithie, with whom he also got the lands of Leuchars and Broadlands in Fife. He had charters of half of Leuchars and Cruvie in Fife, 21st December 1579; of part of Balconzie, and Ryhill, 28th July 1580; of the lands of the preceptory of Maison Dieu of Brechin, 30th August 1583; of the lands of Colithie, to him and Euphemia Wemyss his wife, 23d November 1583; and of half of Newton of Cullessie, 28th January 1583; of the lands of Carnegy in Forfarshire, to him and John his son, 9th 9th March 1592-3; and of the barony of Kethick, and other lands in the same county, 28th December 1593. He was, according to Archbishop Spottiswood, a wise, peaceable, and sober man, in good credit and estimation with the king, and taken into his privy council, for his skill and knowledge in civil affairs. He was, 5th January 1595, constituted one of the eight commissioners of the treasury, called from their number Octavians; and died 9th April 1598. By his first wife, Elisabeth Ramsay, he had two daughters,

Mag. Sig. L. xxxv. No. 150, 234, 235, 779, 805. 838, 861, 862. L. xxxix. No. 84, 138.

Crawf. Peer. 447.

1. *Elisabeth*, who was served heir-portioner of her mother Elisabeth Ramsay, in the barony of Lucheres Ramsay, the principal mansion, and castle of Luchers and other lands in Fife, 31st July 1567. She married John Inglis of Tarvit, and had issue. From one of her daughters, Catherine, descended George Martin of Clermont, whose genealogical collections are often quoted in the first edition.

Ing. Ret. I. 81.

2. *Margaret*, also served heir portioner of her mother, in the same lands, with the exception of the principal house and castle, on the same date. She married William Dundas of Feinzies, and they alienated the lands of Colithie &c. to her father 1582.

Ibid 88.

Crawf. Peer. 449.

Southesk.

He married, secondly, Eupheme, daughter of Sir John Wemyss of Wemyss, and by her had issue,

1. *David*, Earl of Southesk.

2. *John*, Earl of Northesk.

3. Sir *Robert* Carnegy of Dunnichen, who had a charter to Robert Carnegy, son of David Carnegy of Colulthie, of the lands of Dunnichten, Ouchterlony, Corstoun, &c. in Forfarshire, 1st March 1595-6. He died without issue in December 1632; his nephew James, Earl of Southesk, was served heir-male of entail and provision of him in Dunnychtine and other lands, 11th May 1658; and his brother John, Earl of Ethie, was served heir of conquest of him in the barony of Carraldstone, 15th December 1658.

Mag. Sig. L. xli. No. 66.

Inq. Ret. xxv. 50. 190.

4. *Alexander*, who had a charter to Alexander Carnegy, youngest legitimate son of David Carnegy of Colulthie, of half of Ballinbreich in Forfarshire, 31st December 1595, and another to Alexander Carnegy, brother-german of David, Lord Carnegy, and his son, of half of the barony of Menmure, in Forfarshire, 8th March 1632. He was ancestor of the Carnegys of Balnamoon. Sir John Carnegie of Balnamoon was served heir-male of David Carnegie his brother-german in lands in Forfarshire, 19th August 1662, and James Carnegie of Balnamoon was served heir-male of David Carnegie, liar of Balnamoon, his uncle, 4th November 1662. James Carnegie of Balnamoon was served heir-male of James Carnegie of Balnamoon his father, 1st August 1700.

Mag. Sig. L. xli. No. 45. L. liii. No. 197.

Inq. Ret. xxvi. 253. xxvii. 14. xlviii. 864.

1. *Agnes*, married to Sir Alexander Falconer of Halkertoun, and was mother of the first Lord Halkertoun.

2. *Jean*, married, first, to James Carmichael of Balmedie; secondly, to Archibald Dundas of Fingask.

3. *Eupheme*, married to Robert Graham of Morphie.

VII. Sir David Carnegy of Kinnaird, the eldest son, had charters of Glaster, 4th May 1597; Cuikstoun, 16th April 1606; and Belhelvill, 7th November 1611, all in Forfarshire. He was created a peer by the title of Lord Carnegy of Kinnaird, 14th April 1616, when there passed the great seal, litera erectionis Davidi Domino Carnegy de Kinnaird, in baronem majorem et dominum parliamenti, to him and his heirs male, bearing the name and arms of Carnegy. He was constituted one of the ordinary lords of session, 5th July 1616, and one of the extraordinary lords 13th February 1626, and was removed 8th February 1628. He was created Earl of Southesk, Lord Carnegy of Kinnaird and Leuchars, by patent, bearing date at Holyroodhouse, 22d June 1633, the preamble narrating the eminent services of his grandfather and father, with remainder to his heirs male for ever. He held the office of high sheriff of the county of Forfar; had a fine of L. 3000 imposed on him by Cromwell's act of grace and pardon 1654; and died at Kinnaird in February 1658. He married Margaret, daughter of Sir David Lindsay of Edzell, by whom he had issue,

Mag. Sig. L. xli. No. 162. L. xlv. No. 131. L. xlvi. No. 196.

Southesk.

L. xlviii. No. 89.

Haile's Coll.

Mag. Sig. L. liv. No. 127.

Lamont's Annals, M. S.

1. *David*, Lord Carnegy, who died at Edinburgh, 25th October 1663. He married Lady Margaret Hamilton, born 5th April 1598, third daughter of Thomas, first Earl of Haddington, and by her, who married, secondly, 31st January 1647, James, Earl of Hartfell, had two daughters, Margaret, married to Gavin, Earl of Carnwath, and Magdalen, married, first, to Sir Gideon Baillie of Lochend, secondly, to Sir John Crawford of Kilbirny.

Balfour's Annals, MS.

2. *James*, second Earl of Southesk.

3. Hon. Sir *John* Carnegy of Craig. Charters were granted to David, Lord Carnegy, and John, his third legitimate son, of the barony of Ulishaven, 19th December 1618; of Fern, 22d April 1619; and of the barony of Pittarrow, 12th February 1631. His only son David, was served heir-male of Sir John Carnegy of Craig, his father, 22d May 1656, and died without issue.

Mag. Sig. L. xlix. No. 26, 153. L. liii. No. 32. Inq. Ret. xxiv. 16.

4. Hon. Sir *Alexandr* Carnegie of Pittarrow.

1. Lady *Margaret*, married to William, first Earl of Dalhousie, and had issue, and died in 1661.

2. Lady *Agnes*, married to James, first Lord Abercrombie, and had issue.

3. Lady *Catherine*, married to John, first Earl of Traquair, treasurer of Scotland, and had issue.

4. Lady *Marjory*, married, first, to William Haliburton of Pitcur, secondly, to Robert, first Viscount of Arbuth-

Southesk. nott, and was mother of the second Viscount.

5. Lady *Elisabeth*, married to Andrew, Lord Balvaird, and was mother of David, Viscount of Stormont.

6. Lady *Magdalen*, married to James, first Marquis of Montrose, and had issue.

VIII. JAMES, second Earl of SOUTHESK, the eldest surviving son, had a charter to Sir James Carnegy, second son of David, Lord Carnegy, of the barony of Rossie in Forfarshire, 25th March 1639. He waited on King Charles II. in Holland, in 1650; was one of the commissioners chosen for Scotland to sit in the parliament of England, August 1652; was present at the proclamation of Cromwell at Edinburgh, 11th July 1657. Succeeding to the earldom of Southesk, he was served heir male of his father in his extensive property in the counties of Fife, Forfar, Kincardine, and Dumfries; of his brother David, Lord Carnegy, in the lands of Farnewell; and heir male of entail and provision of his uncle Sir Robert Carnegy, in the lands of Dunnychtine, &c. 11th May 1658. He killed the Master of Gray in a duel near London, in August 1660; was sworn a privy-councillor to Charles II.; had a grant of the office of sheriff of Forfar, and died at Kinnaird in March 1669. His Lordship married Lady Isabel Ker, relict of Haliburton of Pitcur, youngest daughter of Robert, first Earl of Roxburghe, and by her, who died at Leuchars Castle in April 1650, had a son,

Robert, third Earl of Southesk;—and two daughters.

1. Lady *Elisabeth*, married, first, contract dated 14th June 1647, to James, second Earl of Annandale, Viscount of Stormont, without issue; secondly, 9th August 1659, to David, fourth Viscount of Stormont, and was mother of the fifth Viscount.

2. Lady *Catherine*, married at Kinnaird, 7th January 1658, to Gilbert, tenth Earl of Errol, without issue.

IX. ROBERT, third Earl of SOUTHESK, the only son, was served heir of his father, 5th May 1669. He was captain of one of the companies of the Scotish guards in France; was colonel of the Forfarshire militia; had a grant of the office of sheriff of Forfar to him and his son, 29th April 1682, and died 19th February 1688. He married Lady Anne Hamilton, eldest daughter of William, second Duke of Hamilton; she makes a conspicuous figure in the Memoires de Grammont, where is an engraving of her Ladyship, and in Burnet's History of his own times. They had two sons, Southesk.

1. *Charles*, fourth Earl of Southesk.

2. Hon. *William* Carnegy, killed in a duel at Paris in 1681, by William Talmash, son of the Duchess of Lauderdale.

X. CHARLES, fourth Earl of SOUTHESK, the only surviving son, was, on the 8th of May 1688, served heir male of his father in his extensive property in the counties of Aberdeen, Dumfries, Fife, Forfar, Kincardine, Kirkcudbright, Peebles, and Selkirk; never went to court or parliament after the revolution; and died 9th August 1699. He married Lady Mary Maitland, second daughter of Charles, third Earl of Lauderdale, by whom he had a son,

XI. JAMES, fifth Earl of SOUTHESK, who was served heir of his father, 14th May 1700. Engaging in the rebellion 1715, he was attainted by act of parliament, and his estates of L. 3271 per annum forfeited to the crown. An act passed in 1717 to enable his Majesty to make provision for the wife and children of James, late Earl of Southesk; and he died in France in 1729. He married Lady Margaret Stewart, eldest daughter of James, fifth Earl of Galloway, and by her, who took to her second husband John, Master of Sinclair, had a son and a daughter, who both died young. The representation of the family devolved on Sir James Carnegy of Pittarrow, descended from,

VIII. The Hon. Sir ALEXANDER CARNEGY of Pittarrow, fourth son of the first Earl of Southesk, who was created a baronet, 20th February 1663, and died before 1680, leaving issue by his wife Margaret Arbuthnott, sister of the first Viscount of Arbuthnott,

Mag. Sig. L. iii. No. 226.

Lamont's Annals, MS.

Inq. Ret. xxv. 35, 47, 50.

Lamont's Annals, MS.

Ibid.

Ibid.

Inq. Ret. xxix. 187.

Inq. Ret. xl. 178.

Ibid. xlviii. 679.

St. 1. Geo. I. c. 43.

Southesk.

1. Sir *David.*

2. *Mungo* Carnegy of Birkhill, advocate.

1. *Catherine,* married to Thomas Allan, Esq.

2. ———, married to Capt. Walter Keith, Montrose.

IX. Sir DAVID CARNEGY of Pittarrow, the eldest son, married, first, Catherine, second daughter of Sir Archibald Primrose of Dalmeny, lord register, sister of the first Earl of Rosebery, by whom he had one surviving son,

Sir *John;*—and two daughters,

1. *Margaret,* married to Henry Fletcher of Salton, and was mother of Andrew Fletcher of Salton, a lord of session by the stile of Lord Milton, and died 27th May 1745.

2. *Catherine.*

He married, secondly, Catherine, daughter of Robert Gordon of Pitlurg, dowager of Robert, second Viscount of Arbuthnott, without issue; thirdly, Jean, daughter of Burnet of Lagaron, by whom he had four children,

1. *David,* who died without issue.

2. *James,* who died without issue.

1. *Elisabeth,* married to Strachan of Tarrie.

2. *Jean,* died unmarried.

X. Sir JOHN CARNEGY of Pittarrow, the eldest son, died in April 1729. He married Mary, daughter of Sir Thomas Burnet of Leys, and had issue,

1. Sir *James.*

2. *John,* who died without issue.

3. *Alexander,* who died without issue.

4. *Henry,* who died without issue.

5. *George,* merchant at Gottenburg, who purchased the lands of Pittarrow, and married, in 1769, Susan, daughter of David Scott of Benholm, had six sons and three daughters. The second son, John Carnegy of Pittarrow, died in 1806; he married Mary Strachan Fullerton, and had two sons and two daughters. The third son, David, merchant in Gottenburg, married Miss Anna Christiana Beckman, a Swedish lady, without surviving issue. The fourth son, James, captain in the East India Company's naval service, married Margaret, daughter of John Gillespie of Kirktoun, and has issue. The eldest daughter, Mary, married David Gillespie of Kirktoun.

Southesk.

1. *Margaret,* died unmarried.

2. *Mary,* married, in September 1748, to Colonel John Scot of Comistoun.

3. *Helen,* married to Alexander Aberdeen of Cairnbulg.

4. *Jean,* married to Robert Taylor of Kirktonhill.

5. *Elisabeth.*

XI. Sir JAMES CARNEGY of Pittarrow, the eldest son, became heir male of the family of Southesk, on the death of James, the fifth Earl in 1729; he purchased the forfeited estate of the family in Forfarshire in 1764, for L. 36,870. 14s. 2d.; was an officer in the army; chosen Member of Parliament for the county of Kincardine at the general election 1741; rechosen 1747, 1754, and 1761; and dying in May 1765, a new writ was ordered for that shire. He married Christian, eldest daughter of David Doig of Cookstoun, by Magdalen Symmers heiress of Balyordie, and had issue,

1. Sir *David.*

2. *James,* who died unmarried.

3. *John,* many years an officer in the 11th regiment of dragoons, married in October 1791, to the only daughter of Mr Tireman, sub-dean and prebendary of Chichester, and has one son.

4. *George,* who was admitted a member of the Faculty of Advocates 1782, and died unmarried at Edinburgh, 19th May 1786.

1. *Mary.*

2. *Elisabeth.*

XII. Sir DAVID CARNEGY of Kinnaird, the eldest son, was chosen Member of Parliament for the county of Forfar at the general election 1796; rechosen 1802; and died in Gloucester place, London, 25th May 1805. He married, 30th April 1783, Agnes Murray Elliot, daughter of Andrew Elliot of Greenwells, in the county of Roxburgh, uncle of Lord Minto, sister of Viscountess Cathcart, by whom he had issue,

1. Sir *James* Carnegy of Kinnaird.

2. *John.*

Southesk.

1. *Christian.*
2. *Elisabeth.*
3. *Jane.*
4. *Anne.*
5. *Mary Anne.*
6. *Eleonora.*
7. *Agnes.*
8. *Mary.*
9. *Emma.*
10. *Madelina.*

XIII. Sir James Carnegy of Kinnaird, the eldest son, succeeded his father 1805.

Arms.—Or, an eagle displayed, azure, beaked and membered, gules.

Crest.—A right hand, couped at the wrist, and erect, holding a thunderbolt, inflamed at both ends, shafted in saltire, and winged in fess, Or. Southesk.

Supporters.—Two grey-hounds, argent, each gorged with a plain collar, gules.

Motto.—*Deum timete.*

Seat.—Kinnaird, in the county of Forfar.

LINDSAY, LORD SPYNIE.

Spynie.

Sir Alexander Lindsay, fourth son of David, *ninth* Earl of Crawford, accompanied King James VI. on his matrimonial expedition to Denmark, 1589. The King addressed a letter to him of this tenor:—

Dalyell's Fragments, App. 83.

"Sandie, quhill youre goode happe furneis "me sum better occasion to recompence "youre honest and faithfull service utterid "be youre diligente and cairfull attendance "upon me, speciallie at this tyme, lett this "assure you, in the inviolabill worde of "youre awin prince and maister, that "quhen Godd randeris me in Skotlande, "I sall irrevocablie, and with consent of "parliament, erect you the temporalitie of "Murraye in a temporall lordshipp, with "all honours thairto appartening; and lett "this serve for cure to your present disease. "From the castell of Croneburg, quhaire "we are drinking and dryving our in the "auld manner. J. R." In implement of this promise, the King gave a charter to Alexander Lindsay, vice-chamberlain, of the lordship of Spynie, Kinneder, Raffart, and other lands in the counties of Elgin, Banff, and Inverness, formerly belonging to the see of Moray, united into the free barony of Spynie, with the title of baron of Spynie, to him and his heirs and assignees, dated 6th May 1590. Another charter was granted, 17th April 1593, of new erecting these lands into a temporal lordship, with the dignity of a peer of parliament, by the title of Lord Spynie, to him and Dame Jean Lyon, Countess of Angus, his wife, and the longest liver of them, in coujunct fee, and to the heirs lawfully procreated, or to be procreated betwixt them, which failing, to the nearest lawful heirs male of the said Alexander, Lord Spynie, whomsoever, and his assignees, heritably. His Lordship had charters under the great seal, of the lands of Auchmuthie, 17th April 1593; of Ballysack or Boysack, 19th July 1605, both to him and Jean Lyon, Countess of Angus his wife; of Burnside and others, 27th February 1606, and of the manse of the precentor of Moray, 24th September 1606. The same year his Lordship gave up to the King the lands belonging

Spynie.

Robertson's Proceedings, 426.

Mag. Sig. L. xxxix. No. 90. L. xliv. No. 125, 217, 298.

Mag. Sig. L. xxxvii. No. 415. L. xxxix. No. 140.

Keith's Catal. 89.

Spynie.

to the see of Moray, on payment of a sum of money. The Earl of Crawford having assassinated his kinsman Sir Walter Lindsay, Sir David Lindsay of Edzell, nephew of Sir Walter, collected an armed force to revenge the murder; the parties met on the street of Edinburgh in July 1607, when Lord Spynie interposing between them, was inadvertently slain by Edzell. His Lordship's death was much regretted, for the many good qualities which he possessed, and the hopes that his friends conceived of his raising again the antient and noble house of Crawford to its former splendour and dignity. His Lordship married Jean, eldest daughter of John, tenth Lord Glamis, relict of Robert, Master of Morton, and Archibald, eighth Earl of Angus*, and by her had issue,

Spottiswood, 504.

1. *Alexander*, second Lord Spynie.
2. Hon. *John* Lindsay, who died young.
1. Hon. *Anne* Lindsay, married to Sir Robert Graham of Innermay.
2. Hon. *Margaret* Lindsay, married to John Erskine of Dun.

II. ALEXANDER, second Lord SPYNIE, the eldest son, succeeded his father 1607, and the same year had a charter to him and Joanna Douglas, his wife, of several lands in Forfarshire. He was served heir male of his father, 3d March 1621, in the lands of Ballisak, &c. had charters of the lordship of Spynie, de novo unit. with the title of a lord of parliament, 16th July 1621; of the lands of Carrestoun in Forfarshire, 19th March 1623; of Leyes and other lands in the same county, to him and his son, 29th April 1624; and of the barony of Finhaven and forest of Platen, 22d January 1631. He fought in Germany under the banners of Gustavus Adolphus, and acquired high reputation as a brave and gallant officer. He was served heir of Colonel Henry Lindsay, filii patrui immediate senioris, 7th January 1642, and died in March 1646. He married, first, Joanna Douglas; secondly, Lady Margaret Hay, only daughter of George, first Earl of Kinnoul, high chancellor of Scotland, and by the last had issue,

Inq. Ret. vii. 112.

Mag. Sig. L. i. No. 71, 138, 274. L. liii. No. 105.

Inq. Ret. xvi. 281.

Scotstarvet, 19.

* On occasion of this marriage, King James VI. wrote to Lord Spynie, "Mind Jean Lyon for her "auld tout will make you a new horn."

1. *Alexander*, Master of Spynie, who married Lady Magdalene Carnegie, second daughter of *John*, first Earl of Northesk, but had no issue by her, who took to her second husband *John* Lindsay of Edzell.

Spynie.

2. *George*, third Lord Spynie.

1. Hon. *Margaret* Lindsay, *married to* William Fullarton of Fullarton. Of this marriage there was issue an only son, *William Fullarton of Fullarton, who married* Susanna Fullarton, and by her had issue an only son, John Fullarton of Fullarton, who married Margaret Carnegy, and by her had issue, an only son, William Fullarton of Fullarton, who married Susanna Ogilvy, and by her had issue. Their eldest son, William Fullarton of Glenquich, lieutenant-colonel in the service of the crown of Portugal claimed the title of Lord Spynie.

Robertson's Proceedings, 427.

2. Hon. *Anne* Lindsay, who died unmarried.

III. GEORGE, third Lord SPYNIE, was served heir male of Alexander, Lord Spynie, his father, and Alexander, Master of Spynie, his brother, 12th June 1646. He was a steady loyalist; opposed the delivering up of King Charles I. to the parliament of England, January 1647; was colonel of the Stirlingshire and Clackmannan horse in the engagement for the rescue of the King 1648. After the death of Charles, Lord Spynie ruined his patrimonial estate by raising forces for the service of his son. He accompanied King Charles II. to the battle of Worcester, was taken prisoner there, and sent to the Tower of London. He was excepted out of Cromwell's act of grace and pardon, 1654. On the death of Ludovick, fourteenth Earl of Crawford, the male representation of that antient family devolved on Lord Spynie, who was served heir male of David, Earl of Crawford, filii patris avi, 8th November 1666, and he died without issue in 1672.

Inq. Ret. xix. 50, 51.

Guthrie, 237

Inq. Ret. xxviii. 319.

On the title of Spynie, the Lords of Session, in their return to the House of Peers 1740, observed that the patent of creation has not been found in the records, nor has any person sat in parliament under that title since 1669; neither has any person claimed a vote in virtue thereof at any election since the Union; but whether the peerage is extinct they cannot say.

Robertson's Proceedings, 210.

Spynie.

William Fullarton of Glenquich, late lieutenant-colonel in the service of the crown of Portugal, presented a petition to the king claiming that title, and concluding thus: The petitioner, as the great great grand-nephew, and undoubted heir of line, of George the third and last Lord Spynie, being the eldest great great-grandson, procreated of the marriage between William Fullarton, and Margaret Lindsay, eldest sister of George, Lord Spynie, apprehends that by the failure of issue of George, Lord Spynie, the title, honour, and dignity of Lord Spynie has of right devolved upon the petitioner, and that it ought to be declared to belong to him, and his heirs. This petition was presented by his majesty's command to the House of Lords, 28th May 1784; and being referred to the Lords' committee for privileges, their lordships, after hearing the attorney general, and lord advocate for Scotland, on behalf of the Crown, resolved 18th April 1785—That it was the opinion of the committee, that although the original creation of the title, honour, dignity, and peerage of Spynie has not been shewn, yet it sufficiently appears from the act of ratification 1592, the charter 1593, and the charter 1621, that the descent was limited to the heirs male of Alexander, Lord Spynie; consequently that the claimant has no right to the said peerage.

Spynie.

Robertson's Proceedings, 425.

Robertson's Proceedings, 429.

DALRYMPLE, EARL OF STAIR.

Stair.

THIS surname is local, being assumed from the barony of Dalrympill in Ayrshire, concerning which the following chartulary notices occur. King Robert II. on the 30th of May 1371, confirmed to John Kenedy, the half of the barony of Dalrimpill, with its pertinents, in the county of Are; which half fuit Malcolmi filii Gilchristi, filii Adæ de Dalrimpill, and which the said Malcolm resigned to us. The same monarch, 13th September 1377, confirmed to the same John Kenedy, the half of the barony of Dalrympill, with its pertinents, in the county of Are, quæ fuit Hugonis filii Rolandi de Dalrympil, and which the said Hugh resigned to us.

Reg. Mag. Sig. 83, 121, 148.

In the reign of Robert III. Duncan Dalrumpill had a charter of the office of Tothia daroche, in Niddisdale; and James de Dalrymple was clericus regis in 1462. Gilbert de Dalrympill was one of the Scotish prisoners released out of the tower of London, 12th April 1412. Gilbert Dalrumpill had a safe conduct to London, 12th July 1424. John de Dalrymple of Bolton, bailie of Edinburgh, was, in April 1448, sent on an embassy to the Duke of Burgundy in the reign of King James II.; he had a charter to him and his heirs of one third of the barony of Bolton, in the constabulary of Haddington, 12th August 1459. He had the designation of the king's merchant, and obtained several grants for his services at home and abroad. Thomas Dalrymple, burgess of Edinburgh, and Morabella Sinclair his wife, had a charter of the king's lands of Gosfurde, in the same constabulary, 28th January 1458-9. The Dalrymples of Laucht were a considerable family. John de Dalrumpill had a charter of the hundred shilling lands of Camragan, in Carrick, on the resignation of Robert his father, to be held by him and Janet his wife, 10th August 1440. John de Dalrumpill, bailie of the burgh of Edinburgh, had a safe conduct to pass through England with Crichton the chancellor, on his embassy to France and Burgundy, 23d April 1448. John de Daur-

Stair.

Crawf. Peer. 451.

Fœdera, XI. 213.

Mag. Sig. L. v. No. 53, 74.

Caledonia, II. 747.

Pinkerton, I. 411.

Mag. Sig. L. iii. No. 177. L. vii. No. 71. L. xiii. No. 267. L. xxiii. No. 184. L. xxxi. No. 78.

Fœdera, XI. 213, 421, 504.

Robertson's Index, 146.

Fœdera, IX. 5. X. 340.

Stair.

ipill, had a safe conduct into England 10th May 1549. David Dalrymple had a safe conduct into England, 25th June 1463. John de Dalrimpill, grandson and heir apparent of Robert de Dalrimpill of Laucht, and Elisabeth de Auchinleck, his wife, had had a charter of Dalbone in Ayrshire, 4th July 1473. John Dalrymple and Elisabeth his wife had a charter of Cambragane in Carrick, 18th June 1498. Duncan Dalrymple of Laucht, and Catherine Kennedy his wife, had a charter of Camaragane, 21st March 1529-30; and William Dalrymple had a charter of Camaragane in Carrick, from his sister Jonet, 9th March 1551-2.

I. WILLIAM DE DALRYMPLE, progenitor of the Earls of Stair, became possessed of the lands of Stair Montgomery, in Ayrshire, by his marriage with Agnes Kennedy, heiress of that estate, for which marriage a papal dispensation was obtained in 1450, as they were within the prohibited degrees of consanguinity. Their son,

In Arch. Fam. de Stair, D.

II. WILLIAM DALRYMPLE of Stair, married Marrion, daughter of Sir John Chalmers, of Gadgirth, in Ayrshire. She was a lady of excellent worth and virtue, and was one of the Lollards of Kyle, summoned in 1494 before the king's council, on account of their heretical doctrines. The magnanimity of James IV. treated the charges with contempt, and the accused persons were dismissed. They had a son,

Pinkerton, II. 418.

III. WILLIAM DALRYMPLE, who died before his parents, leaving a son,

IV. WILLIAM DALRYMPLE of Stair, who had a charter to William Dalrymple, grandson and heir apparent of William Dalrymple of Stair Montgomery, and Margaret Wallace his wife, of the lands of Stair, reserving her teree to Mariot Chalmers, wife of William Dalrymple, senior, 12th February 1530-1. By the said Margaret Wallace, daughter of Cairnhill, he had a son,

Mag. Sig. L. xxiv. No. 30.

V. JOHN DALRYMPLE of Stair, who was one of the first that made open profession of the reformed doctrines, and in 1544 joined the Earls of Lennox and Glencairn against the Earl of Arran; he obtained, in 1555, from the Duke of Chatelherault, the regent, a remission for being in feir of weir at the unlawful convocation of the Queen's lieges on the muir of Glasgow, with Matthew, sometime Earl of Lennox, and William, Earl of Glencairn. By his wife Isabel, daughter of George Crawford of Lochnorris, he had a son,

Stair. Crawf. Peer. 554.

VI. JAMES DALRYMPLE of Stair, who was one of those that signed the confession of faith, and entered into an association for the defence of the reformed religion, 1562. He joined the Duke of Chatelherault in his opposition to the marriage of the Queen with Darnley 1565, for which he obtained a remission 1566. He entered into the association for the defence of James VI. 1567, and died in 1586, leaving by his wife Isabel, daughter of James Kennedy of Bargeny, a son,

Ibid.

VII. JOHN DALRYMPLE of Stair, who had a charter to John Dalrymple, and James his son and heir, of the lands of Stair Montgomerie, in Ayrshire, 9th August 1603. His son,

Mag. Sig. L. xliii. No. 311.

VIII. JAMES DALRYMPLE of Stair, had a charter to John Dalrymple of Drummurchie, and Jonet Kennedy his wife, of the barony of Stair, &c. 16th November 1620, and died in 1624. He married Janet, daughter of Fergus Kennedy of Knockdaw, by Helen Cathcart, daughter of Carletoun, and by her, who died in 1663, had a son,

L. xlix. No. 309.

IX. JAMES DALRYMPLE of Stair, born at Drummurchie in Carrick, in May 1619, who was educated at the university of Glasgow, where he took the degree of A. M. 1637; came to Edinburgh in 1638, and had a company of foot in the Earl of Glencairn's regiment. At the solicitation of some of the professors in Glasgow, he stood a candidate, in military uniform, at a comparative trial for a chair in philosophy, then vacant in that university, and was preferred thereto with great applause, though he kept his commission for some time afterwards. He studied the Greek and Latin languages and antiquities, with assiduity, afterwards the civil law, and was admitted

Crawf. Peer. 453.

Stair. into the Faculty of Advocates 7th February 1648, and soon became eminent in that profession. He was constituted secretary to the commissioners sent to Breda, to invite Charles II. into Scotland 1649, and returned home next year. His reputation was such, that, 23d June 1657, Monk recommended him to Cromwell, as a person fit to be a judge, "being a very honest man, a good "lawyer, and one of considerable estate." Sir James Learmonth of Balcomie, one of the Lords of Session, dying suddenly in court, 26th June 1657, Monk the same day wrote to Cromwell, that the Judges "had "pitched upon a person of eminent abilities, "namely, Mr James Dalrymple, an advo- "cate, of whose qualifications and good af- "fections they have ample satisfaction, to "be one of the commissioners for administra- "tion of justice, at the same salary as Lord "Balcomie had, of which they humbly crave "leave to desire your Highness's approba- "tion." Mr Dalrymple took his seat 1st July 1657; and his nomination was approved of by Cromwell. He had a private conference with Monk the day before he marched into England, and strongly urged the calling a full and free Parliament, as the most likely way of settling affairs. At the restoration, he went to London to wait on Charles II. by whom he was constituted one of the lords of session, 1st June 1661. The parliament 1663, having appointed an oath called the declaration to be taken by all in public offices, against defensive arms and the late troubles, Lord Stair, who was absent at his mother's funeral when it was subscribed by the other lords of session, not feeling inclined to take it, sent his demission to the king, and the lords declared his place vacant, 19th January 1664. He took that opportunity of visiting France with his eldest son, and returning home by London, had an audience of the king, to whom he cleared himself in the affair of the declaration. His Majesty thereupon wrote to the lords of session, 24th April 1664, that he was satisfied of his affection to his service, and his great abilities for his station. On receipt of this letter, and Mr Dalrymple's signing the declaration, the lords rescinded their former act, and he took his place in court. He was created a baronet, 2d June 1664, and constituted President of the Court of Session, 17th January 1671. He was chosen Member of Parliament for the county of Wigton 1681; and when the test act was brought into the House, he artfully proposed that the first confession of faith should be adjected thereto, as the precise standard of the protestant religion; this was adopted without consideration, and it was thus rendered impossible, without perjury, either to receive or to reconcile the test to itself. This was highly resented by the Duke of York, who said that Lord Stair, by bringing the confession of faith into the test, had ruined all honest men, meaning Roman Catholics. The president went to London to desire his majesty's leave to retire from his employment, but before his arrival found that he had been dismissed, and Sir George Gordon of Haddo appointed president in his room, 1st November 1681. He then retired to the country, where his tenants were grievously harassed for non-conformity, and on a hint from the king's advocate that it was intended to commit him to prison, he went abroad to Holland in November 1682. He there published his Philosophia nova experimentalis, which gained him great reputation. He attended the Prince of Orange into England 1688, came down to Scotland, and had the principal hand in securing a majority in Parliament, by providing that none but papists should be excluded from voting at the elections, and that the commissioners for the boroughs should be chosen by a *poll* of freemen. He was re-appointed President of the Court of Session, 1st November 1689; created Viscount of Stair, Lord Glenluce, and Stranraer, with limitations to the heirs-male of his body, 21st April 1690; and dying on the 25th November 1695, in the 75th year of his age, was buried in the cathedral church of St Giles, Edinburgh. His Lordship published Decisions of the Court of Session, from 1661 to 1681, in two volumes, folio; Institutions of the law of Scotland, fol. 1693; Philosophia nova experimentalis; A Vindication of the Divine Perfections, illustrating the glory of God in them, by reason and revelation, methodically digested into several meditations, by a person of honour, 8vo, 1695. An Apology for his own conduct, MS. is in the Advocates'

Stair.

Park's Wal. Pole, v. 126.

Stair.

Library. In Park's edition of Walpole's Royal and Noble Authors, is a portrait of the Viscount.

His Lordship married, 21st September 1643, Margaret, eldest daughter of James Ross of Balniel, in the county of Wigton, with whom he got a large estate; and by her, who died in 1692, had issue,

1. *John*, second Viscount of Stair.

2. Hon. Sir *James* Dalrymple of Borthwick, who was admitted a member of the Faculty of Advocates, 25th June 1675; was one of the commissaries of Edinburgh, afterwards one of the principal clerks of the Court of Session; and was created a baronet, 28th April 1698. His valuable publication, entitled, "Collections concerning "the Scotish History," is well known and greatly esteemed. He married, first, 2d

Edin. Reg.

January 1679, Catherine, third daughter of Sir James Dundas of Arnistoun, a lord of session, by whom he had issue: 1. Margaret, born 10th December 1679, married to Adam Hepburn, younger of Humbie. 2. James, born 6th November 1680, died young. 3. Sir John. 4. Christian, born 29th July 1684. 5. Robert Dalrymple of Killoch, born 25th July 1685, who was a writer to the signet in Edinburgh, and afterwards settled in London, where he died 2d December 1765, æta. 81. He married Elisabeth, daughter and co-heir of John Bowick, Esq. Glasgow, by whom he had several children, in particular John Dalrymple, Esq. admiral in the royal navy, who died 20th October 1798, having had by his wife Eleonora, daughter of Sir Charles Howard, to whom he was married 25th November 1765, three sons, Charles, who died an infant; Robert; and John Herbert, a major in the army, who died in 1794. 6. Elisabeth, born 29th December 1686. Sir James Dalrymple married, secondly, 4th September 1691, Esther, daughter of John Cunningham of Enterkine, W. S. relict of James Fletcher of Cranstoun, by whom he had issue. 7. James Dalrymple of Harviestoun, born 10th July 1692; he married Martha Crawford, by whom he had at least one daughter, Margaret, born 19th December 1722. 8. Hugh, born 7th May 1693. 9. William, born 30th April 1694. 10. Thomas, born 3d June 1695, who died unmarried. 11. Esther, born 7th June 1696, died young. 12. David, born 10th July 1698. 13. Esther, born 7th April 1700. Sir James Dalrymple married, thirdly, 7th September 1701, Jean Halket, Lady Dalpholly. 11. Sir John Dalrymple, the eldest surviving son, was admitted a member of the Faculty of Advocates 1704; had, on his father's resignation, the office of one of the principal clerks of session conferred on him before 1709, and died 24th May 1743, aged about 60. He married, first, contract dated 7th August 1702, Elisabeth Fletcher of Cranstoun, the daughter of his stepmother, and only surviving child of James Fletcher, son of David, Bishop of Argyll, and by her had issue: 1. James, born 2d June 1703, died young. 2. Sir William. 3. James, born 13th June 1709, died young. 4. Elisabeth, born 19th August 1712, married to Thomas Hamilton Macgill of Fala and Oxford, and had one daughter, Elisabeth Hamilton Macgill, heiress of Fala and Oxford, married 7th October 1760, to her cousin, Sir John Dalrymple, baronet. 5. Jean, born 4th June 1714, married to —— Reid, Esq. without surviving issue. Sir John Dalrymple of Cranstoun married, secondly, Sidney, daughter of Sir John Sinclair, baronet, by whom he had issue: 6. James, who died without issue. 7. Hugh Dalrymple of Fordel, married, 26th April 1754, to Lady Helen Wemyss, born 1729, youngest daughter of James, fourth Earl of Wemyss, and died without issue. 8. Gustavus, died unmarried. 9. Sidney, married to ——— Lister, Esq. of Yorkshire. 10. Catherine, married to Captain Jacob Moodie, without issue. 11. Christian, who died unmarried. 12. Margaret, married to John Sinclair younger of Freswick, advocate, without issue. III. Sir William Dalrymple of Killoch and Cousland, the eldest surviving son, born 23d September 1704, died at Cranstoun, 20th February 1771, æta. 67. He married, first, Agnes, daughter of William Crawford, Esq. Glasgow; and by her, who died 13th October 1755, had issue: 1. Sir John. 2. William Dalrymple, an officer in the army, who commanded the troops that carried by storm Fort Omoa on the Spanish Main; he succeeded to his uncle's estates of Fordel and Cleland, married Diana, daughter of

Stair. —— Molyneux of Preston, in Lancashire, and had seven children; Marton Dalrymple of Fordel, who died 21st November 1809, (leaving by his wife Frances Ingram Spence, Molyneux Dalrymple, his eldest son, two other sons, and three daughters); John, major to the 40th regiment of foot, killed 3d February 1807, while leading his troops to the assault on Monte Video, unmarried; Hugh, a lieutenant in the royal navy, who died in the East Indies in 1810, unmarried; Wilhelmina; Frances, married to the Rev. Mr Roberts; Caroline; and Diana. 3. Agnes, born 31st August 1728. 4. Elisabeth, married to William Hamilton of Bangour, without issue. Sir William Dalrymple married, secondly, Miss Anne Philp, by whom he had issue, 5. James, a lieutenant-colonel in the army, who died, unmarried, at Hyderabad, 7th December 1800. 6. Samuel, a lieutenant-general in the army, and second major to the third regiment of foot-guards, married, 15th October 1791, to Miss Tweddell, daughter of John Tweddell of Unthankhall, in Northumberland, and has one son surviving daughter, Hannah. 7. Simon, a lieutenant-colonel in the army, who died unmarried, in India, in 1804. 8. Hugh. 9. Anne. 10. Jane, married to Major-General Roberts, without issue. 11. Wemyss, married to the Hon. Leveson Granville Keith Murray, fifth son of John, fourth Earl of Dunmore, and died at Vizagapatam, 28th December 1804. 12. Christian, married 15th November 1805, to Hugh Stewart, Esq a younger son of Sir John Stewart of Allanbank, baronet. 13. Beckford. 14. Matilda. iv. Sir John Dalrymple, the eldest son, was admitted a member of the Faculty of Advocates 1748; appointed one of the barons of the Court of Exchequer in Scotland 1776; published several works, particularly Memoirs of Great Britain and Ireland, Letters to Lord Barrington secretary at war, &c. and died 26th February 1810, æta. 84. He married, 7th October 1760, his cousin Elisabeth, only child and heiress of Thomas Hamilton Macgill of Fala and Oxford, with whom he got these estates, and added the names of Hamilton and Macgill to his own. They had issue: 1. Thomas, who died at Edinburgh, 2d February 1770. 2. William, a midshipman in the royal navy, killed in the engagement betwixt the Santa Margarita, Captain Salter, and L'Amazone French frigate, 29th July 1782, in his eighteenth year, being noticed in the dispatches as a worthy and deserving youth, who, had he lived, would have been an honour to his profession. A monument is erected to his memory in Westminster Abbey. 3. A son, who died an infant. 4. Sir John. 5. James, a midshipman in the royal navy, who died of the yellow fever at Bermudas, 17th October 1796. 6. North, captain of a troop in the 25th regiment of light dragoons. 7. Robert, a lieutenant in the third regiment of foot-guards, killed at the battle of Talavera, 28th July 1809. 1. Elisabeth, married, 20th February 1790, to Miles Sandys of Graithwaite-hall, in the county palatine of Lancaster, captain in the 104th regiment of foot, and has issue. 2. Agnes. 3. Jane, married to —— Horseman, Esq. 4. ——. 5. ——, both died young. v. Sir John Dalrymple, the eldest surviving son, succeeded his father 1810, is captain of a company in the third regiment of foot-guards; ranks as major-general in the army, and is a major-general on the North British staff. He married, at Kenilworth, in the county of Warwick, 23d June 1795, Harriet, eldest daughter of the Rev. Robert Augustus Johnson of Kenilworth, niece of William, sixth Lord Craven.

Edin. Reg.

Stair.

3. Hon. Sir *Hugh* Dalrymple of North-Berwick, who was admitted a member of the Faculty of Advocates, 23d February 1677, and constituted one of the commissaries of Edinburgh, on the resignation of his brother Sir James. He was created a baronet, 29th April 1698, and promoted 7th June 1698 to the high office of president of the Court of Session, which had continued vacant since the death of his father in 1695*. He served in Parliament for the borough of North-Berwick, supported the treaty of union, and died 1st February 1737,

* It appears that a commission had been made out, appointing Sir William Hamilton of Whitelaw president of the Court of Session, which was brought down to Scotland by the Earl of Tullibardine, but was stopped. Carstares's State Papers, p. 338. See Fountainhall, II. 1.

Stair. Min. Reg.

in his 85th year. He married, first, 12th March 1682, Miss Marion Hamilton, by whom he had issue, 1. Margaret, born 6th March 1683, married, contract dated 1st March 1700, to Sir John Shaw of Greenock, baronet; he died 5th April 1752; she died 8th October 1757, æta. 75; their only surviving child, Marion, married Charles eighth Lord Cathcart. 2. James, born 18th September 1684, died young. 3. Marion, born 6th July 1686. 4. Anne, born 27th November 1687, married to Sir James Stewart of Goodtrees, baronet, and was mother of Sir James Stewart of Coltness, author of the principles of political œconomy, of Anne, Countess of Buchan, and other children. 5. Sir Robert Dalrymple of Castleton, knight, who was admitted a member of the Faculty of Advocates in 1714, and died before his father, 21st August 1734. He married, first, 23d February 1707, Johanna Hamilton, only child of John, Master of Bargeny, heiress of James, fourth Lord Bargeny; their descendants have been already treated of under the title of Lord Bargeny; secondly, Anne, eldest daughter of Sir William Cunningham of Caprington, in Ayrshire, baronet, and by her, who was born 13th October, 1704, and died at Edinburgh, 23d January 1776, aged 72, had issue, William, merchant in Cadiz, who died at Blackheath, 2d March 1782; James, born 10th December 1731, a captain of dragoons, married 10th December 1761, to the daughter of John Apsley, of Lewis, in Sussex; Charles Dalrymple, Esq. married, first, 29th September 1758, to Elisabeth, only daughter and heiress of John Edwin, Esq. and had one daughter, Elisabeth, married 1st June 1780, to Alexander, sixth Earl of Balcarras, and has issue; Charles Dalrymple, married, secondly, 23d December 1769, a daughter of John Douglas of St Christopher's, relict of Colonel Campbell Dalrymple, without issue; Janet, born 27th February 1726, died young, and Anne, born 25th December 1727, N. S. married 24th October 1749, to James, fifth Earl of Balcarras, and has issue. 6. Hugh Dalrymple of Drummore, born 30th November 1690, admitted a member of the Faculty of Advocates 1710, appointed a lord of session 29th December 1726, of justiciary March 1745, and died 18th June 1755, æta. 65. He married Anne Horn, heiress of Horn and Westhall, in Aberdeenshire, and by her had twelve children; Anne, born 6th June 1712. Marion, born the 23d October 1713, married 29th March 1732, to Archibald Hamilton of Dalzell, and had issue. John Dalrymple Horn of Horn, born 4th December 1714, admitted advocate 1735, and died at Naples 3d May 1737, æta. 23, unmarried. Hew Horn of Horn, born 7th January 1717, married 14th November 1742, to Anne, third daughter of Sir John Inglis of Cramond, in the county of Edinburgh, baronet, and died without issue, 26th July 1746, æta. 30. Robert Dalrymple Horn Elphinston of Horn, Westhall, and Logie, born 1st March 1718, a general in the army, colonel of the 53d regiment of foot, who died 20th April 1794, æta. 77; he married, 9th July 1754, Mary, daughter and heiress of Sir James Elphinston of Logie, and had six daughters, married to Davidson of Newton; Sir Ernest Gordon of Park, baronet; Sir Robert Burnet of Leys, baronet; James Mansfield of Midmar; William Wemyss of Cuttlehill; and George Leith of Overhall; and one surviving son, Robert Dalrymple Horn Elphinston of Horn, Westhall, and Logie. David Dalrymple, born 27th August 1719, admitted a member of the Faculty of Advocates, 1743; appointed sheriff of the county of Aberdeen, 1748; and a lord of session, by the stile of Lord Westhall, 10th July 1777; he married, 21st March 1761, Jean, daughter of Alexander Aberdeen of Cairnbulg, and had issue, and died 26th April 1784, æta. 65. Thomas, born 12th June 1721. Elisabeth, born 28th September, 1722, married to George Brown of Coalstoun, a lord of session and justiciary, and had a daughter, Anne, married to Sir David Dalrymple of Hailes, baronet, a lord of session and justiciary, and a son, Charles Brown of Coalstoun, advocate, father of Christian, Countess of Dalhousie. James, born 14th March 1724. Campbell Dalrymple, born 27th August 1725, lieutenant-colonel of the 3d regiment of dragoons, governor of Guadaloupe, who died in Grenada, in June 1767, æta. 42; he married, 4th September 1753, a daughter of John Douglas of St Christophers, and had a daughter, Margaret, mar-

Edin. Reg.

Edin. Reg.

ned 8th January 1781, to Alexander Duncan of St Fort, and a son, James Dalrymple, who married Anne, Countess of Haddington, dowager of Thomas the seventh Earl, and daughter of Sir Charles Gascoigne, knight. Anne, born 27th January 1727. Helenor, born 14th May 1729, married to James Rannie, Esq. Leith, and died without issue, 12th February 1782. 7. John Dalrymple, Esq. born 17th April 1692, a captain in the Inniskillin regiment of dragoons, who died at Ayr, 19th April 1753, æta. 61. He married Mary, daughter of Alexander Ross of Balkail, in the county of Wigton, and by her, who married, secondly, Sir James Adolphus Oughton, K. B. had one son, Sir Hew Whiteford Dalrymple, born at Ayr, 3d December 1750, knighted when he was proxy for his step-father, at the installation of knights of the Bath, in May 1777, a general in the army, colonel of the 57th regiment of foot, married 16th May 1783, to Frances, one of the two daughters, and co-heirs of General Francis Leighton, a younger son of Sir Edward Leighton, of Wattlesborough, baronet, and has five children, Adolphus John, born 3d February 1784, Leighton Cathcart, born 3d May 1785, Charlotte Elisabeth, born 24th July 1787, Frances Mary, born 3d March 1790, and Arabella Boyd, born 22d July 1792. 8. William, born 19th October 1693, a captain in the army. 9. Elisabeth, born 3d February 1695, married to Sir James Suttie of Balgone, in the county of Haddington, baronet, and was *mother* of Sir George Suttie of Balgone, baronet, member of parliament for that county, born 11th October 1715. 10. Alexander, born 19th June, 1696. 11. James Dalrymple of Nunraw, born 27th January 1698, father of Hugh Dalrymple of Nunraw, who married and had issue. 12. Eleanor, born 26th June 1700, married to Sir Thomas Hay of Alderston, in the county of Haddington, baronet. Sir Hugh Dalrymple, lord president, married, secondly, Elisabeth, daughter of Hamilton of Olivestob, relict of Hamilton of Bangour, mother of William Hamilton of Bangour the poet, and by her, who died at Edinburgh, 21st March 1742, æta. 67, had two daughters. 13. Marion, born 1st May 1712, married to Sir Ludovick Grant of Grant, baronet, M. P. without surviving issue. 14. Johanna, born 21st February 1714. Stair.

4. Hon. *Thomas* Dalrymple, physician in ordinary to the king in Scotland.

5. Hon. Sir *David* Dalrymple of Hailes, in the county of Haddington, who was admitted a member of the Faculty of Advocates, 3d November 1688, and was created a baronet, 8th May 1700. He was member of parliament for Culross, solicitor-general to Queen Anne, and a commissioner for the treaty of union, which he zealously supported; was one of the members elected to the first parliament of Great Britain, in February 1707; and was chosen for the boroughs of Haddington, &c. at the general election 1708. Being appointed queen's advocate for Scotland, a new writ was issued 15th November 1709, and he was re-elected. He was re-chosen in 1710, 1713, and 1715; a new writ was issued 11th June 1720, on his appointment to the office of auditor of exchequer in Scotland, and he was re-elected, but died the next year, 1721. He married, 4th April 1691, Janet, daughter of Sir James Rochead of Inverleith, relict of Alexander Murray of Melgund*, and by her, who was born 25th April 1692, had besides Magdalen, born 24th June 1693; John, born 7th August 1694; Margaret, born 15th July 1695; and Magdalen, born 20th September 1696, all of whom died infants, three surviving children, 1. Sir James. 2. Hugh, who was admitted a member of the Faculty of Advocates in 1718, and *succeeding to the* estate of Melgund and Kynnynmond, in 1736, was thenceforward designed Hugh Dalrymple Murray Kynnynmond. He died in December 1741, leaving by his wife Isabella, second daughter of Hugh Somerville, of the house of Cambusnethan, to whom he was married in 1730, a daugh- Edin. Reg.

* Janet Rochead by her first husband had a *posthumous* son, Sir Alexander Murray of Melgund, baronet, born 2d August 1692; he married *Grisel* Kynnynmond, heiress of Kynnynmond, and entailed these estates on his son Alexander and his issue, remainder to his own brother-uterine Hugh Dalrymple. He died in 1713; his widow married, secondly, 19th August 1714, Thomas Kennedy of Kirkhill, afterwards one of the barons of Exchequer. Sir Alexander Murray of Melgund, baronet, the only son, died without issue in 1736, when his estates devolved on Hugh Dalrymple, in terms of the entail.

Stair. ter, Agnes Murray Kynnynmond of Melgund and Kynnynmond, born 11th September 1731, married to the Right Hon. Sir Gilbert Elliot of Minto, baronet, M. P. and was mother of Lord Minto. 3. Janet, Edin. Reg. born 31st March 1690, married, first, to Sir John Baird of Newbyth, secondly, to the Hon. General James St Clair of Dysart, M. P. and died without issue, 8th January 1766, æta. 68. II. Sir James Dalrymple of Hailes, baronet, the eldest son, born 24th July 1692, was chosen member of parliament for the borough of Haddington, &c. on his father's demise in 1721; rechosen at the general elections 1722 and 1727; had also the office of auditor of exchequer, and died 24th February 1751, æta 59. He married Lady Christian Hamilton, youngest daughter of Thomas, sixth Earl of Haddington, and by her, who died 30th June 1770 had issue, 1. Sir David, 2. Helen, died young. 3. Thomas, died in infancy. 4. James, who was lieutenant-colonel of the first or royal Scots regiment of foot; his literary endowments were great, and some much admired poetical pieces of his were published by his brother Alexander in 1796. He died at Inveresk, 21st November 1791, without issue by his wife Elisabeth, daughter of Charles St Clair of Herdmanstoun, who was born 11th January 1738, married 28th September 1773, and died at Edinburgh, 13th November 1811, æta. 74. 5. Janet, who died unmarried, in August 1784. 6. Hugh, a naval officer greatly respected, appointed captain in the royal navy, 24th November 1763, and died without issue. 7. Charles, who died in his youth, a student of medicine, at Newhailes, 12th January 1750. 8. Margaret, who died an infant. 9. John, a merchant in, and lord provost of Edinburgh, much esteemed for his social virtues, who died 8th August 1779. He married, 28th June 1774, Anne Young, daughter of Walter Pringle of St Christopher's, by whom he had a daughter, Eleonora, and two sons, Sir James Dalrymple, who succeeded his uncle Lord Hailes in the baronet's title, 1792, and was lost in Captain Dempster's ship in the Indian seas, in December 1800, unmarried; and Sir John Pringle Dalrymple, baronet, a colonel in the army, who married, 28th December 1807, Mary, second daughter of Edward Rushworth, of Farringford Hill, in the Isle of Wight. 10. Rachel, who died unmarried in 1801. 11. Alexander Dalrymple, F. R. S. F. S. A. born 24th July 1737, hydrographer to the Board of Admiralty, who survived all his brothers and sisters, and died, unmarried, 19th June 1808, æta 71, of vexation at being removed from that office. This occasioned a discussion in the House of Commons the same month. A portrait of him, with memoirs of his life from his own pen, is inserted in the European Magazine, November 1802. 12. Thomas, died in infancy. 13. William, who died at Madras, 26th May 1776, unmarried. 14. Magdalen, who died unmarried, at Knaresborough, 6th December 1763. 15. Stair, who died in infancy. 16. Grizel, who also died in fancy. III. Sir David Dalrymple of Hailes baronet, the eldest son, born 19th October 1726, was admitted a member of the Faculty of Advocates, 1748, appointed a lord of session, 6th March 1766, and of justiciary 1776. His Lordship's talents, erudition, and research, and his virtues both in public and private life, were of the highest order; and it must have been observed, how much this work is indebted to his annals of Scotland, and Sutherland additional case. His Lordship died, deeply lamented, 29th November 1792, having married, first, 12th November 1763, Anne, daughter of George Brown of Coalstoun, a lord of session, and justiciary, and by her, who died 18th May 1768, had one surviving child, Miss Christian Dalrymple of Hailes. He married, secondly, 20th March 1770, Helen, daughter of Sir James Fergusson of Kilkerran, baronet, a lord of session and justiciary, and by her, who died 10th November 1810, had one daughter, Jean, married, 8th November 1799, to her cousin-german, James Fergusson, Esq. and died 6th May 1803, leaving one son and two daughters.

1. Hon. *Janet* Dalrymple, married to David, son and heir apparent of Sir David Dunbar of Baldoon, in the county of Wigton, baronet, but died soon after her marriage without issue.

2. Hon. *Elisabeth* Dalrymple, married to Alan, seventh Lord Cathcart, and had issue.

3. Hon. *Sarah* Dalrymple, married to

Charles, Lord Crichton, eldest son and heir apparent of William, second Earl of Dumfries, and had issue.

4. Hon. *Margaret* Dalrymple, born 30th January 1659, married to Sir David Cunningham of Milncraig, in the county of Ayr, baronet, M. P. and had issue.

X. JOHN, second Viscount of STAIR, the eldest son, born about 1648, was bred to the profession of the law, and was admitted a member of the Faculty of Advocates, 28th February 1672. In a short time he rose to considerable eminence, and was one of the counsel for the Earl of Argyll, on his trial for treason, 1681. When his father retired to Holland, he became obnoxious to the court. In 1682, on pretence that he, as heritable bailie of the regality of Glenluce, interfering with the sheriff of Galloway's jurisdiction, had amerciated his own and his father's tenants too low for haunting conventicles, he was committed prisoner to the castle of Edinburgh, and fined L. 500 Sterling. He was again, in 1684, seized at his country seat, on various pretences, and committed a close prisoner to the tolbooth of Edinburgh, where he lay three months (11th September to 11th December.) He now found means to make his peace with the government; and on the removal of Sir George Mackenzie for not complying with the design of the King in taking away the penal laws against popery, in 1686, Sir John Dalrymple was made his Majesty's advocate, and arrived in Edinburgh 14th February 1687. He brought with him an order from the King for L. 1200, whereof L. 500 was for the fine he paid in 1682, and the remainder for his charges in his journey, and the loss of practice in his absence. He also brought a comprehensive remission to his father, mother, brothers, and sisters, particularly for their reset and converse with traitors, and to his little son, who had accidentally shot his brother. In his office he obeyed the King absolutely and without reserve, but, at the same time, behaved with great moderation and temper. Sir George Mackenzie being restored to that place, Sir John Dalrymple was, 23d February 1688, appointed a lord of session and lord justice-clerk, in room of Sir James Foulis of Colintoun deceased. He entered heartily into the revolution, was a member of the convention parliament, in which he was of the highest authority, on account of his great parts and eloquence, and was one of the three commissioners sent up by them with the offer of the crown to the Prince and Princess of Orange, 1689. He was one of the six persons excepted by King James VII. out of his intended act of indemnity. He was appointed to the office of King's advocate 1690, and constituted one of the principal secretaries of state 1691, in which office he continued till 1695, when, on account of his concern in issuing the orders for the massacre of Glenco, he was obliged to resign, parliament having voted that his letters exceeded the king's instructions. The same year he succeeded his father in title, but did not take his seat in parliament for some years. He made a strong attempt to do so in 1698, but was dissuaded from it by the Duke of Queensberry, the Earls of Argyll, Leven, and Seafield, and his brother the lord president, who went to Newliston for that purpose, as the justice-clerk was determined, if he offered to take his seat, to call for the vote and address passed respecting the affair of Glenco, by which it was declared to be a barbarous murder. He took the oaths and his seat in parliament, 21st February 1700; and, on the accession of Queen Anne, was sworn a privy-councillor. He was created Earl of Stair, Viscount Dalrymple, Lord Newliston, Glenluce, and Stranraer, by patent to the heirs male of his body; which failing, to the heirs male of his father, dated 8th April 1703. His Lordship being always earnestly anxious for an union with England, was named one of the commissioners for that treaty 1705, and had so great a hand in carrying that difficult measure through parliament, as to induce an opinion that, without his assistance, it could not have been brought to a conclusion. Being exhausted with the anxiety and fatigue to which that unpopular affair had long exposed him, he died suddenly, 8th January 1707. On that day he assisted in the debate on the 22d article of the treaty of union, pressing the point with great earnestness, walked home after it, and dined

Crawf. Peer. 469.

Stair.

very cheerfully with company. According to a contemporary, he was a good lawyer, of good natural parts, and facetious conversation; made always a better companion than a statesman, being naturally very indolent; was handsome in his person, tall, and fair. Lockhart of Carnwath, his bitter enemy, acknowledges that " he had a piercing judgment, a lively imagination, a quick apprehension, a faithful " memory, a solid reflection, and a peculiar " talent of dissimulation, so that he was seldom or never to be taken unawares. He " was extremely facetious and diverting " company in common conversation, and, " setting aside his politics, good natured. To " these qualifications was added that of elo- " qence, being so great a master of it, that he " expressed himself on all occasions and " subjects with so much life and rhetorick, " and that likewise so pointedly and copi- " ously, that there was none in the parliament capable to take up the cudgels " with him."

Macky's Memoirs.

Lockhart, 97.

His Lordship married Elisabeth, daughter and heiress of Sir John Dundas of Newliston, in the county of Linlithgow, knight, and by her, who died at Edinburgh, 25th May 1731, had issue,

Edin. Reg.

1. *James*, born 19th February 1670, died young.

2. *John*, second Earl of Stair.

Ibid.

3. Hon. *James* Dalrymple, born 24th June 1676, died, young.

4. Hon. *William* Dalrymple of Glenmure.

5. Hon. *George* Dalrymple of Dalmahoy.

Ibid.

1. Lady *Elisabeth*, born 11th April 1671, died unmarried.

Kirkliston Reg.

2. Lady *Margaret*, born 4th September 1677, married, 6th April 1700, to Hugh, third Earl of Loudoun, and was mother of the fourth Earl, and died 3d April 1777, in her 100th year.

Crawf. Peer. 461.

XI. JOHN, second Earl of STAIR, the eldest surviving son, born at Edinburgh, 20th July 1673, was sent about 1684 to Leyden, where he made great proficiency in the languages, and other branches of education, being reckoned one of the best scholars in that university. Coming back to Scotland, he pursued his studies at the college of Edinburgh; and, in 1692, accompanied his father and King William to Flanders. He served as a volunteer under the Earl of Angus, colonel of the 26th regiment of foot, or Cameronians, at the battle of Steinkirk, 2d August 1692, where the Earl was killed. In the winter he returned to the university of Leyden, and studied the law. He accompanied Lord Lexington in his embassy to Vienna, 1700; made the tour of Germany and Italy, and returned home in 1701. Just before the death of King William, he was nominated lieutenant-colonel of the Scotish foot-guards, and his commission was signed by Queen Anne immediately after her accession. He served as aide de-camp to the Duke of Marlborough at the taking of Venlo and Liege, and the attack on Peer, 1702. He had a colonel's commission in the Dutch service in April 1703; got the command of the 26th regiment of foot, or Cameronians, 1st Jannary 1706; and was promoted to the command of the 2d regiment of dragoons, or royal Scots greys, 24th August 1706. He was a brigadier-general at the battle of Ramilies, 12th May that year; succeeded his father 8th January 1707; took the oaths and his seat in parliament on the 21st of that month, and was one of the sixteen representatives of the Scotish peerage chosen by parliament in February 1707. He was again chosen at the general elections 1715, 1722, and 1727, and on a vacancy 1744.

He had the command of a brigade at the battle of Oudenarde, 11th July 1708, and was dispatched to England with the intelligence of that victory. He was a major-general at the battle of Malplaquet, 9th September 1709, and was promoted to the rank of lieutenant-general, 1st January 1710. He was sent envoy extraordinary to the King of Poland, in winter 1709, returned in May 1710 to the siege of Douay, which surrendered to the allies 26th June 1710, and he was that year invested with the order of the Thistle. When Lord Godolphin was dismissed in 1711, the Earl of Stair was sent by the Duke of Marlborough with a letter to Lord Oxford, proposing the alternative, that his Grace should have leave to retire from the command of the army, and that they should put another

Stair. man at the head of the forces, in whom the Queen might have entire confidence, to pursue the ends of the grand alliance, till the war could be ended by a peace glorious to her Majesty, advantageous for the nation, and safe for all the rest of Europe; or if it was thought he could be more useful at the head of the army, he was willing to continue, the Queen's confidence being restored to him, and to live with Lord Oxford as he had done with Lord Godolphin. At the end of the campaign 1711, the Duke of Ormond was appointed to command the army; the Earl of Stair was ready to serve under him with great zeal; but when ministers began to fling themselves into the arms of France, and to separate the British forces from those of the allies, he found he could no longer continue there. The resolution of clearing the army of the friends of the Hanover succession being openly declared, the Earl of Stair was ordered to sell, at a low price, the command of his regiment to the Earl of Portmore.

On the accession of King George I., the Earl of Stair was appointed one of the lords of the bed-chamber, sworn a privy-counsellor, constituted commander-in-chief of the forces in Scotland, in absence of the Duke of Argyll, 5th November 1714, and had the command of the 6th or Inniskillen regiment of dragoons given to him, 4th March 1715. The same year he was sent to France in a diplomatic character; and after the death of Louis XIV., was constituted ambassador extraordinary to that court. The object of his embassy was of the greatest importance, and his manner of executing it the most brilliant and spirited. The former was to discover and watch over the intrigues of the Jacobites, when the Brunswick family could not be said to have a firm establishment on the throne, and to cement a friendship with the Regent Duke of Orleans, whose steadiness could not always be depended upon. No ambassador ever exceeded, and few have equalled, the splendid and magnificent table, equipage, and train of domestics, by which Lord Stair's embassy was distinguished. Several of his letters are published in the Hardwicke Collection of State Papers, exhibiting the manner in which he formed his connection with the Duke of Orleans and Cardinal du Bois, the negotiation with Bolingbroke to leave the Pretender and return to his duty, and the unsuccessful treaty with the Earl of Marr to the same effect. Stair.

When Mr Law, comptroller-general, rose to power in France, the Earl of Stair wrote Mr Craggs, secretary of state, 1st September 1719: "You must henceforth look upon Mr "Law as first minister, whose daily dis-"course is, that he will raise France to a "much greater height than ever she was, "upon the ruin of England and Holland. "You may easily imagine I shall not be a "minister for his purpose. He is very "much displeased with me already, be-"cause I did not flatter his vanity by put-"ting into the Mississippi. I did not "think it became the King's ambassador "to *give countenance* to such a thing or "an example to others to withdraw their "effects from England to put them into "the stocks here, which would have been "readily followed by many. I have been "in the wrong to myself to the value of "L. 30,000 or L. 40,000, which I could "easily have gained if I had put myself, "as others did, into Mr Law's hands; but "I thought it my duty, considering my "station, not to do so."

His Lordship endeavoured to destroy the credit of Mr Law with the Duke of Orleans, representing that, by his vanity and presumption, the comptroller-general was leading his Highness into great dangers and inconveniencies, both at home and abroad; that by going too fast, and by taking arbitrary measures, he was in a way to ruin the Regent's credit with the nation, as well as to overturn the whole system of the finances; while, by his discourse and his conduct, he was doing every thing that lay in his power to destroy the good understanding that subsisted betwixt his royal master and his Highness. In this his Lordship was unsuccessful; for the British ministry, beginning to entertain the most serious apprehensions from the power and abilities of Mr Law, and dreading that Lord Stair's measures would have no other effect than to irritate him the more against England, resolved to sacrifice his Lordship to their fears. They accused him of endeavouring to embroil England with France, Wood's Craymond, 201.

Stair.

in order to gratify his private pique against Mr Law, to whom they now thought it necessary to make advances. For this purpose no less a person than Earl Stanhope, one of the secretaries of state, was dispatched to Paris. He affected to consider the comptroller-general as a much greater man than Cardinals Richelieu or Mazarine had been; and told the Regent that the King was very well satisfied with Mr Law, and did not in any manner complain of him; that what Lord Stair had said was without any authority from his court, and even contrary to orders, and that for so doing he should be recalled.

When Lord Stair was informed of this, he wrote to Mr Craggs, 14th February 1720: "If it was possible I should have "a mind to stay in this country, you have "made it impracticable. You have taken "all effectual ways that could be thought "of to destroy the personal credit I have "with the Regent. You have made it "plain to him that I have no credit with "the King, that is to say with his minis-"ters; Lord Stanhope has declared to Mr "Law that I shall be recalled, so that is "no longer a question; you are under the "necessity of sending another minister to "this court. As to my behaviour when I "come home, I shall ever be a faithful "subject to the King, and act as a man "in whom the love of his country is supe-"rior to all other considerations, so that "our ministers may be as well assured, if I "happen to be in London, of my little as-"sistance, providing they do what is right, "as if they had used me very well." In another letter, dated 12th June 1720, he said, "I see plainly that I shall not be "able to see the King in England; it is "a great while since Mr Law told his "friends here that I should not be allowed "to have the honour of seeing the King. "It is pretty hard, I own, if, after serving "the King very faithfully, very zealously, "and with some success, I should have "the mortification not so much as to have "my master's good countenance."

The Earl of Stair being accordingly recalled in 1720, retired to his seat of Newliston, where he lived in the most frugal manner, having put his estate into the hands of trustees, to pay off the debts contracted during his most splendid and magnificent embassy, as government refused to discharge them. His active mind now turned itself to agricultural improvements; and it is a well attested fact, that he was the first who introduced the cultivation of turnips and cabbages in the open fields. The fine woods that adorn Newliston were laid out by him, and the predominance of military ideas is visible in the design. It was during this period that the elegant Hamilton of Bangour addressed to the Earl of Stair his imitation of Horace's ode, Laudabunt alii clarum Rhodon, containing these lines,

> But whate'er place thy presence boast,
> Let not, O Stair! an hour be lost.
> Whether beneath the open sky
> Stretch'd in the tented couch to lie
> Thy fate *ordains*, to shine again
> Great on some future Blenheim's plain,
> Higher to raise thy deathless name
> Triumphant to sublimer fame.
> Or if, secure from fev'rish heat,
> Newliston cover thy retreat,
> Where wit conspires with love's delights,
> To grace thy days and bless thy nights.

His Lordship had the office of vice-admiral of Scotland conferred on him, 1729, but joining the opposition against Walpole, was deprived, not only of it, in April 1739, but also of the command of the Inniskilling dragoons, which was given to Lord Cadogan 1734. At the general election that year, his Lordship was not included in the return of the sixteen representatives of the Scotish peerage, against which he protested. His Lordship wrote to Lord Marchmont, 10th December 1736: "The "reproach that is flung upon us daily from "a certain place of our being Jacobites, "does not affect me any other way than "by the prospect of what may be the case "when government shall come to have "nothing to depend on, but the assistance "of their new listed friends, and some of "their old ones, whose fidelity they have "already experienced in cases of former "danger. For myself, I am not surprised "that some people should endeavour to de-"fame me; my little reputation can be of "no value to Sir Robert [Walpole], further "than that it is a kind of contradiction to "his general rule, that there is really no "such thing as virtue, and that every man

Stair. " will do every thing if you will but pay " him his price. In the late reign, possibly, I " had greater temptations than any man " ever had, to be a Frenchman; but I will " appeal even to Sir Robert, who may " be master of all my *public letters*, and " most of my private ones, whether I ever " swerved one moment from my duty to " my King and to my country."

On the dissolution of the Walpole administration 1742, the Earl of Stair was by his sovereign called from retirement, constituted field marshal of the forces, sent ambassador extraordinary and plenipotentiary to the States of Holland, and had the government of Minorca bestowed on him, 24th April 1742. Having received the appointment of commander in chief of the allied army in Flanders, he came from thence to London 28th August 1742, waited on the King, assisted at a council 3d September, and the next day set out on his return to the army, of which he retained the chief command till his Majesty joined the troops next year. His Lordship had the colonelcy of the Inniskilling dragoons again bestowed on him, 25th April 1743, and served under the king at the battle of Dettingen, 16th June following. After that engagement, disgusted at the preference shewn to the Hanoverians, and finding himself reduced to a cypher, his Lordship resigned his command in the army, and retired to the Hague, giving in to his majesty a memorial, printed in Dalrymple's memoirs of Great Britain, to which reference is made. The Duke of Marlborough followed Lord Stair's example, and resigned.

The public mind was now inflamed with the most violent imputations of the King's partiality to his native troops, who were stigmatized with cowardice, insolence, and disobedience. Numerous officers who served at Dettingen, were prepared to support these assertions by evidence before the House of Commons. Opposition took up the matter warmly. Lord Sandwich, in the House of Lords, 9th December 1743, thus expressed himself: " From the time " at which his Majesty arrived at the camp, " the Earl of Stair found himself nothing " more than a nominal commander, with- " out authority and without power. He " never was consulted with regard to any " measures that were proposed, nor ever Stair. " summoned to a council of war; the om- " niscient Hanoverians had the unrivalled " direction of every movement, nor was the " advice of any other man required or re- " garded. Such was the contempt that was " on every occasion shewn to this great " man, that he thought it no longer con- " sistent with his honour to retain the title " of general when he had lost the power, " or to expose himself to be censured for " those miscarriages which he found him- " self unable to prevent; he saw that the " King resigned himself wholly to his fawn- " ing ministers, and Hanoverian generals, " and therefore he resigned a command in " which he might disgrace himself, but " could do no service to his country. Thus, " my Lords, was England deprived at once " of the counsels of her most penetrating " statesman, and the arms of her most ex- " perienced and bravest warrior. In Lord " Stair were lost all that nature or that ex- " perience had ever furnished to complete a " general; a mind at once calm and intre- " pid, a temper at once active and resolute; " qualities of which, if any recommenda- " tion could be imagined necessary, it may " with justice be affirmed, that they are " recommended by a thousand testimonies " of the firmest adherence to his Majesty, " and by sufferings in the sacred cause of " liberty." In another debate, 31st January 1744, the Earl of Westmoreland said, " No " sooner did the King arrive in the camp, " than the British general was divested of " all real power, and suffered to retain only " the name of commander. The man so " long celebrated for his courage, his wis- " dom, and his integrity, the man who had " so frequently signalized his zeal for the " present royal family, was reduced to a " statue with a truncheon in its hand, and " was permitted only to share the dangers " and hardships of the campaign, of which " the electoral divan regulated the opera- " tions."

France now making preparations for the invasion of Britain, for which the divided state of the national councils seemed favourable, the Earl of Stair and the Duke of Marlborough, conscious that the clamour against the Hanoverian troops had encouraged the project, set a noble example of

Stair. loyalty, by tendering their service in any station. Their offers were gratefully accepted, and their example was followed by persons of all ranks. The Earl of Stair was in 1744 appointed commander in chief of the forces in Great Britain; and on the death of his gallant brother-in-law, Sir James Campbell, who fell at the battle of Fontenoy, had, 28th May 1745, the Royal Scots Greys again placed under his command, thirty one years after he had been deprived of it. His Lordship was constituted general of the marine forces 14th May 1746, and dying at Queensberry House, Edinburgh, on the 9th May 1747, in the 74th year of his age, was on the 23d of May carried to the family burial place at Kirkliston, twelve mourning coaches and six, besides private carriages, attending, the castle of Edinburgh firing minute guns, and the flag half-staff up. But no monument has been erected to the memory of that superior character, no less eminent in the cabinet than in the field, of incorruptible integrity, adorned with the finest accomplishments and manners. His Lordship married Lady Eleanor Campbell, fourth daughter of James, second Earl of Loudon; she was first married to James, first Viscount of Primrose, who died 1706, and was mother of the second and third Viscounts of Primrose; she had no issue by the Earl of Stair, whom she survived, and died at Edinburgh, 21st November 1759.

His Lordship, as his next brother had married a peeress in her own right, made a resignation of his honours into the hands of Queen Anne, and got a new patent to himself, and the heirs male of his body, which failing, to such person or persons being descended of the first Viscount of Stair, as he should nominate or appoint by writing under his hand, in his lifetime; and failing such nomination, or the persons so nominated, to William Dalrymple, his Lordships immediate younger brother, and the second son of the said William Dalrymple, and Penelope, Countess of Dumfries, his wife, and the heirs male of the body of such second son, which failing to the third, fourth, and any younger sons of that marriage, according to their seniority, and to their heirs male, with divers remainders over; so as, whensoever any heir male who, by virtue of the entail and destination, might have right to both the estate and dignity of Dumfries, and the estate and dignity of Stair, should happen to have two sons, the succession to the said estates and honours should always divide, and the estate and dignity of the family of Stair should fall to the second or youngest son, and the heirs male of their bodies. A charter under the great seal, to that effect, was expede 27th February 1707, and this charter was on 21st March 1707, ratified and confirmed by an act of the Scotish parliament. His Lordship, in execution of the powers given to him thereby, did, by instrument in writing under his hand, 31st March 1747, nominate and appoint Captain John Dalrymple, eldest son of his brother Baron George Dalrymple, to succeed to him in his title and estates. This settlement, in so far as regarded the estates, was not attempted to be impeached; but in so far as regarded the titles, was challenged by James Dalrymple, second surviving son of the Hon. Colonel William Dalrymple, who contended, that it was part of the prerogative royal to confer titles of peerage, which the crown could not be divested of, or transfer to any subject, and that the giving the power of nomination was actually giving a power to create a peer, of course was ineffectual. Both James and John Dalrymple voted as Earl of Stair, at the general election of representatives of the Scotish peerage, 13th August 1747. James Dalrymple presented to his Majesty a petition, claiming the title of Stair, and the Earl of Dumfries presented another, claiming the title of Stair, if it was not adjudged to his brother James. John Dalrymple also presented a petition claiming that title; and in March 1748, all these petitions were by his majesty's command presented to the House of Lords, by whom they were remitted to the Lords committees for privileges. From them, 4th May 1748, Lord Delawar reported, That they had considered the petitions, and heard counsel for the petitioner James, read a patent from Queen Anne, dated 8th April 1703, granting the said titles, honours, and dignities, to John, Viscount of Stair, and the heirs male of his body, also a warrant under her royal signature,

Robertson's Proceedings, 270.

dated in February 1706-7, upon the resignation of the above-mentioned patent, appointing a patent and charter to be passed, granting the said titles, honours, and dignities, to the late Earl of Stair, with further limitations, as also the patent itself, passed in the same month, and examined a witness to prove the descent from the said Earl, and also heard counsel for the petitioner John, and read several charters, inquisitions, retours, and other writings; and likewise heard counsel for the said Earl of Dumfries, and also counsel on behalf of the crown; and are of opinion, that the nomination or appointment dated 31st March 1747, made by John, late Earl of Stair, to his honours and dignities, is not valid in law, and that the petitioner James Dalrymple has a right and title to the honours and dignities of Earl of Stair, Viscount Dalrymple, Lord Newlistoun, Glenluce, and Stranraer. This report was agreed to by the House.

XI. The Hon. WILLIAM DALRYMPLE of Glenmure, second surviving son of John, first Earl of Stair, was an officer in the foot guards, with the rank of colonel in the army, and member for the county of Air in the last parliament of Scotland, in which he steadily supported the treaty of union. He was one of the members to the first parliament of Great Britain, nominated in February 1707; was chosen for the county of Clackmannan, at the general election 1708, for Stranraer, &c. 1722, for the same boroughs, as also for the county of Wigton 1727, took his seat for the county, and gave up the boroughs to his son; was rechosen for Wigtonshire 1734, and died 3d December 1744. He married, 26th February 1698, his cousin-german Penelope, Countess of Dumfries, and by her, who died at Clackmannan, 1st March 1742, had issue,

1. *William*, Earl of Dumfries and Stair.

2. Hon. *John* Dalrymple, a captain in the Inniskillin regiment of dragoons, the favourite nephew of John, Earl of Stair, elected Member of Parliament for Stranraer, &c. on his father's giving up his seat for these boroughs 1728, and died, unmarried, at Newliston, 23d February 1742.

3. *James*, third Earl of Stair.

4. Hon. *Charles* Dalrymple, died unmarried.

5. Hon. *Hugh* Dalrymple, died unmarried.

6. Hon. *George* Dalrymple, died unmarried.

1. Lady *Elisabeth*, married to John Macdowall of Freugh, and was mother of the fifth Earl of Dumfries,—see that title.

2. Lady *Penelope Crichton* Dalrymple, who died unmarried, at Edinburgh, 11th February 1785.

XII. JAMES DALRYMPLE, the third son, was admitted a member of the Faculty of Advocates 1728; succeeded to the title of Earl of Stair, in consequence of the resolution of the House of Lords, 4th May 1748, already recited; and died without issue, 13th November 1760, when, in pursuance of the remainders in the patent, the title of Stair went to his elder brother,

XII. WILLIAM, Earl of DUMFRIES and STAIR, already mentioned under the former title, who dying without surviving issue, 27th July 1768, was succeeded in the earldom of Dumfries by his nephew Patrick Macdowall of Freugh, and in that of Stair by his cousin John Dalrymple, eldest son of

XI. The Hon. GEORGE DALRYMPLE, of Dalmahoy, fifth son of John, first Earl of Stair. He was admitted a member of the Faculty of Advocates, 1704, purchased the estate of Dalmahoy in the county of Edinburgh, at a judicial sale, was appointed one of the barons of the Court of Exchequer in Scotland, 1707-8, and died at Moffat, 29th July 1745. He married, 23d April 1720, Euphame, eldest daughter of Sir Andrew Myrton of Gogar, in the county of Edinburgh, baronet, and by her, who was born 19th August 1699, and died at Edinburgh, 8th July 1761, æta. 62, had issue,

1. *John*, fifth Earl of Stair.

2. *William* Dalrymple, an officer in the army, in which he had the rank of colonel, 29th August 1777, being then major to the second regiment of foot, and was promoted to the lieutenant-colonelcy of the same, 26th March 1778. He had the rank of major-general 20th November 1782, lieu-

* Stair.

tenant-general 12th October 1793; had the command of the 47th regiment of foot conferred on him, 19th May 1794; and served as a lieutenant-general on the Irish staff 1796 and 1797. He had the rank of general 1st January 1798, and the appointment of lieutenant-governor of the royal hospital of Chelsea, March 1798; was an excellent officer, of the most amiable temper and manners, and died at London, 23d February 1807, in the 72d year of his age. He married at London, 13th September 1783, Marianne Dorothy, second daughter of Sir Robert Harland of Sproughtonhall in Suffolk, baronet, and by her, who died at Streatham, 28th October 1785, had an only son, John William Henry Dalrymple, born November 1784, who had a cornet's commission in the 5th regiment of dragoon guards 1804, and married Johanna, eldest daughter of Charles Gordon of Clunie.

1. *Elisabeth*, born 31st January 1721, married at Edinburgh 12th January 1755, to Lieutenant-General Humphry Bland, then commander in chief of the forces in Scotland.

2. *Eleanor*, married to James Fergusson of Craigdarroch.

3. *Euphemia*, born 4th November 1734, died at Edinburgh, 8th September 1770, æta. 36, unmarried.

4. *Margaret*, died unmarried at Edinburgh, 6th April 1766.

XII. JOHN DALRYMPLE, the eldest son, became a member of the Faculty of Advocates 1741, afterwards went into the army, and was nominated by his uncle, John, Earl of Stair, to succeed to his estates and honours. He accordingly assumed the title of Earl of Stair, and voted as such at the general election 1747; but by the decision of the House of Lords, 1748, already recited, the honours were adjudged to his cousin James. He kept possession of the estates, his right to which was not impeached, and he sold the noble property of Newliston to Roger Hog, Esq. On the death of William, Earl of Dumfries and Stair, 1768, he became fifth Earl of Stair, and was chosen one of the sixteen representatives of the Scotish peerage, on a vacancy 1771. When inimical measures were framing against America, his Lordship gave them an early opposition in the House of Lords; he presented the petition of William Bollan, agent for Massachusets, against them, and never failed to shew his disapprobation of every measure which appeared calculated to provoke hostilities with America. Mr Bollan having transmitted the thanks of the province of Massachusets to his Lordship, Lord Stair wrote him, 4th October 1774: "My conduct in parliament, in these unhappy American matters, deserves not "the acknowledgments the late council of "the province of Massachusets Bay are "pleased to honour it with; all I can pre"tend to is a sincere affection to both "countries, (whose interests if rightly un"derstood, are, and must ever be the same,) "with little ability, and still less power to "be of service to either. Great and re"peated provocations have drawn down "corrections too precipitate, I think per"haps too harsh; but we must look for"ward, and hope, that, through the media"tion of men of disinterested principles, "conciliatory measures will be fallen on; "to be in any manner instrumental to "which, is my warmest wish."

His Lordship was not returned at the general election 1774, and published several pamphlets giving gloomy ideas of the national credit and resources. In 1784, he published "The proper limits of the govern"ment's interference with the affairs of the "East India Company," in which he severely attacked the coalition ministry, and promised his support to the Pitt administration, so long as they should continue to deserve it. He died at Culhorn, 13th October 1789, having married the daughter of George Middleton, Esq. banker in London, and by her, who died at Culhorn, 3d February 1798, had one son,

XIII. JOHN, sixth Earl of STAIR, who was born at Edinburgh, 24th September 1749, had a company in the 87th regiment of foot in 1779, served in America, was at the successful attack on New London, and Fort Griswold, in September 1781, by Sir Henry Clinton, who sent him home with the dispatches. He was appointed minister plenipotentiary to the king and republic of Poland, 5th January 1789, and envoy extraordinary and minis-

Stair.

ter plenipotentiary to the court of Berlin, 5th August 1785. He succeeded his father 1789, was chosen one of the sixteen representatives of the Scotish peerage at the general election 1790, rechosen 1796, 1802, and 1806.

TITLES.—John Dalrymple, Earl of Stair, Viscount of Stair and Dalrymple, Lord Newliston, Glenluce, and Stranraer, and baronet.

CREATIONS.—Baronet of Nova Scotia, 1664, Viscount of Stair, Lord Glenluce and Stranraer, to the first Viscount and the heirs male of his body, et hæredes dict. suorum hæredum, 21st April 1690. Earl of Stair, Viscount Dalrymple, Lord Newliston, Glenluce, and Stranraer, by patent dated at St James's, 8th April 1703, to the first Earl, et hæredes masculos sui corporis, quibus deficien. hæredes masculos defuncti Jacobi, Vicecomitis de Stair. New patent, with the former precedency, 27th February 1707, recited at page 532.

Stair.

ARMS.—Quarterly: 1st and 4th, Or, on a saltire, azure, nine lozenges of the first, for Dalrymple. 2d, Argent, a lion rampant, gules, for Dundas of Newliston. 3d, Or, a chevron cheque, argent and sable, between three water budgets of the last, for Ross of Balniel.

CREST.—A rock, proper.

SUPPORTERS.—Two lions, proper.

MOTTO.—*Firm.*

CHIEF SEAT.—Culhorn, in the county of Wigton.

ALEXANDER, EARL OF STIRLING.

Stirling.

Crawf. Peer. 462.

THIS family is reckoned a branch of the Macdonalds, one of whom, Alexander Macdonald, obtained the lands of Menstrie, in the county of Clackmannan, in feu from the family of Argyll, where he fixed his residence, and his posterity took the surname of Alexander from his Christian name.

I. THOMAS ALEXANDER of Menstrie was one of the arbiters betwixt the abbot of Cambuskenneth and Sir David Bruce of Clackmannan, in a dispute concerning the marches of their lands, which was settled by decreet arbitral of 6th March 1505.

Chartul. of Cambusk. D.

II. ANDREW ALEXANDER, probably his son, married Catherine Graham, and had two sons,

1. *Alexander.*

2. *Andrew*, designed Andrew Alexander, presbyter, in a sasine of Colin, Earl of Argyll, 15th November 1529.

Stirling.

Pones, D. Argyll, D.

III. ALEXANDER ALEXANDER of Menstrie, the eldest son, had a charter from Colin, Earl of Argyll, and Archibald his son, of part of the barony of Menstrie, to Alexander Alsynder, Elisabeth Douglas his wife, and Andrew their son and heir apparent, 26th August 1529; and another from Archibald, Earl of Argyll, of the lands of Dunsletter in Perthshire, which belonged to the deceased Andrew Alexander his father, and Catherine Graham his mother, 15th January 1529-30, both confirmed 20th April 1530. He died in 1545, leaving issue by his wife Eli-

Mag. Sig. L. xxiii. No. 196.

Stirling.

sabeth, daughter of Douglas of Lochleven,

1. *Andrew*.

2. *William* Alexander, who had two charters to him and Janet Marshall his wife, of the lands of Clow, in the barony of Glencoy in Perthshire, 4th October 1539, and 28th May 1542.

Mag. Sig. L. xxxi. No. 406, 407.

Daughter, *Isabel*, married to James Muschet, younger of Torrie.

Carta in Pub. Arch. D.

IV. ANDREW ALEXANDER, the eldest son, so designed in the charter 1529, had three sons,

1. *Alexander*.

2. *John*.

3. *James*, who had a charter to James Alexander in Menstrie, of an annualrent out of Langcarse in Clackmannanshire, 30th May 1584.

Mag. Sig. L. xxxv. No. 929.

V. ALEXANDER ALEXANDER, the eldest son, witnessed, along with his grandfather, a sasine of Menstrie, 19th April 1541. He is designed Alexander Alscinder of Mains of Menstrie, in a sasine, 7th October 1572, and died in 1594, leaving a son,

Penes D. Argyll. D.

VI. Sir WILLIAM ALEXANDER of Menstrie, a celebrated poet, greatly superior to the stile of his age. He accompanied the Earl of Argyll on his travels abroad; was knighted by King James VI., who appointed him master of requests. Henry, Prince of Wales, honoured him with particular notice, and brought him to court. He had a grant of the territory of Nova Scotia in America, by charter dated 10th September 1621, and the King gave him permission to divide that territory into 100 parcels, and dispose of them, with the title of baronet to the purchasers, for their encouragement to improve the colony. He got about L. 200 sterling from each purchaser for the sake of the title of baronet; and he also obtained the privilege of coining a sort of base copper money called turners, by which he acquired much wealth*. He had charters of the lordship of Canada in America, 2d February 1628; of the barony of Menstrie, 30th July 1628; of the barony of Largis, 11th April 1629; and of the barony of Tullibody, 30th July 1629. He was sworn a privy-councillor, and appointed secretary of state 1626; keeper of the signet, November 1627; a commissioner of exchequer in July 1628; and one of the extraordinary lords of session, 28th July 1631. He was created Viscount of Stirling, Lord Alexander of Tullibody, by patent dated at Windsor, 4th September 1630, to him and his heirs male bearing the name and arms of Alexander; and raised to the dignity of Earl of Stirling, Viscount of Canada, and Lord Alexander of Tullibody, by patent dated at Dalkeith, 14th June 1633, to him and his heirs male for ever, bearing the name and arms of Alexander. This patent recited his services to the crown, and his great merit in the first discovery, acquisition, and settlement of Nova Scotia and Canada. He had charters of the barony of Tullicultre, &c. to him and William, Lord Alexander, his son, 12th July 1634, and of the barony of Gartmore, 23d January 1636. He had a grant from the council of New England, 22d April 1635, of all that part of New England betwixt the rivers of Kennebeck and St Croix, and of the island of Stirling, now called Long Island, which he colonized, and thus gave rise to the flourishing state of New York. He died at London in February 1640, and was buried at Stirling on the 12th of April following. He published tragedies full of ostentatious morality, diffused through smooth rhetorical stanzas, without a single spark of celestial fire. His works are, the Tragedy of Darius, Edin. 1603. The Tragedy of Croesus with Darius, a Parænesis to the Prince, and Aurora, containing the first fancies of the author's youth, London 1604. Croesus, Darius, with the Alexandrian Tragedy, and Julius Cæsar, London, 1607. An Elegy on the death of Prince Henry, Edin. 1612. Doomsday, or the Great Day of Judgment, Edin. 1614. The Monarchic Tragedy, 3d edition, 1616. A Supplement of a defect in the third part of Sidney's Arcadia, Dubl. 1621. An Encouragement to Colonies,

Mag. Sig. L. i. No. 36. L. ii. No. 23. Staggering State, 72.

Mag. Sig. L. i. No. 36. L. iii. No. 110, 151, 222, 223.

Hailes's Catal.

Mag. Sig. L. liii. No. 135. L. liv. No. 135, 268. L. lv. No. 191.

Balf. Ann.

Laing, I. 459.

Park's Walpole, V.

* About that time he built a large house in the town of Stirling, on which inscribing his motto, Per mare per terras, it was parodied, Per metre per turners, alluding to his making money by his poesy and copper coinage.

Stirling. Lond. 1625. A Map and description of New England, with a discourse of plantation and the colonies, Lond. 1630. Recreations with the Muses, Lond. 1637. Three poems by his Lordship, and a few of his letters, with Anticrisis, or a censure of poets, occur in the folio edition of Drummond's Works, 1711. The latter of these productions is very creditable to his Lordship's critical talents. King James VI. used to call him his philosophical poet.

Crawf. Peer. 63. His Lordship married Janet, daughter and co-heiress of Sir William Erskine, knight, parson of Campsie, commendator of the bishoprick of Glasgow, a younger brother of the house of Balgony, cousin of the Earl of Marr, Regent of Scotland, by whom he had issue,

1. *William*, Viscount Canada.

2. Hon. Sir *Anthony* Alexander, master of the King's works in Scotland, who married a daughter of Sir Henry Wardlaw of Balf. Ann. MS. Pitreavie, and dying without issue at London, in August 1637, was buried at Stirling.

3. *Henry*, third Earl of Stirling.

4. Hon. *John* Alexander, who had a In Pub. Arch. D. charter of the lands of Over Isgall 1642, and married a daughter of Sir John Graham of Gartmore, by whom he had one daughter.

5. Hon. *Charles* Alexander, who had a Mag. Sig. L. Iviii. No. 108. charter to Charles Alexander, son of the deceased William, Earl of Stirling, of the lands of Tullibody, 27th June 1642; he left a son, Charles, who died without issue.

6. Hon. *Ludovick* Alexander, died without issue.

7. Hon. *James* Alexander. In the Edinburgh register, James Alexander, son of the deceased William, Earl of Stirling, and Grissell Hay, had a daughter, Margaret, 23d June 1669.

1. Lady *Jean*, married at Kensington, Lysons. 20th July 1620, to Hugh, Viscount Montgomery of Great Ardes, in the county of Down in Ireland; their son Hugh was created Earl of Mount Alexander (a title in honour of his mother's sirname) in 1661.

2. Lady *Mary*, married at Kensington, Ibid. 3d August 1620, to Sir William Murray of Clermont, baronet, and had issue.

VII. WILLIAM, Viscount of CANADA, Stirling. and Lord Alexander, the eldest son, was appointed an extraordinary lord of session Hailes's Catal. in room of his father, 27th January 1635. He was a young nobleman of great expectations; went to America; spent the greatest part of his fortune in establishing a colony on the river St Laurence, where he suffered great hardships, and dying of the Balf. Ann. MS. effects thereof at London in March 1638, was buried at Stirling. He married Lady Margaret Douglas, eldest daughter of William, first Marquis of Douglas, and by her had a son, Stagg. State, 73.

William, second Earl of Stirling;—and three daughters,

1. Hon. *Catherine* Alexander, married to Walter, Lord Torphichen, and had one daughter.

2. Hon. *Margaret* Alexander, married to Sir Robert Sinclair of Longformacus, in the county of Berwick, baronet, and had two daughters.

3. Hon. *Lucy* Alexander, married to Edward Harrington, Esq. who was page of honour to the Prince of Orange in 1650.

VIII. WILLIAM, second Earl of STIRLING, the only son, succeeded his grandfather in February 1640, but did not enjoy the title more than three months, when he died, and was succeeded by his uncle.

VII. HENRY, third Earl of STIRLING, whose paternal estate in Scotland was carried off by the creditors of his father and brother. He married a daughter of Sir Peter Vanlore, knight, alderman of London, with whom he got considerable property in England, and died 1650, leaving a son,

VIII. HENRY, fourth Earl of STIRLING, who died in 1690, leaving issue by his wife, Miss Lee,

1. *Henry*, fifth Earl of Stirling.

2. Hon. *William* Alexander, died without issue.

3. Hon. *Robert* Alexander, died without issue.

4. Hon. *Peter* Alexander, died without issue.

1. Lady *Mary*, married to Mr Philips, and had a son, William Philips Lee of

Stirling.

Binfield in Berkshire, and of the city of York.

2. Lady *Judith*, married to Sir William Turnbull (or Trumball) of Easthampstead Park, in Berkshire, the friend of Pope, and had a son, William Turnbull, Esq. who died 24th April 1760, leaving an only daughter by his lady, one of the daughters and co-heiresses of Lord Viscount Blundell.

3. Lady *Jean*, died without issue.

IX. HENRY, fifth Earl of STIRLING, the eldest son, voted frequently at the elections of representative peers of Scotland, down to 12th May 1739. He married Elisabeth, widow of John Hobey, Esq. An act passed the House of Lords, 20th May 1690, for granting unto Elisabeth, relict of John Hobey, Esq. and now the wife of Lord Alexander, son and heir apparent of Henry, Earl of Stirling, an annuity or yearly rent charge for her life, in satisfaction of L. 500 per annum in lands which she was to have for her jointure. His Lordship died without issue at Ewell Green in Surry, 4th December 1739, and the male representation of the family devolved, it is said, on William Alexander, descended from,

Robertson's Proceedings.

Lords Journals.

V. JOHN ALEXANDER in Gogar, second son of Andrew Alexander of Menstrie, who is mentioned with his brother Alexander in a sasine of Archibald, Earl of Argyll, dated April 1541; and is designed John Alexander in Middleton, in a sasine of Colin, Earl of Argyll, in October 1572. His son,

Peres Ducem de Argyll. D.

VI. ALEXANDER ALEXANDER in Millnab, left three sons,

Retour in Cancellaria. D.

1. *Alexander* Alexander in Kinkell, whose male line is extinct.

2. *David.*

3. *Patrick*, who married, and had issue.

VII. DAVID ALEXANDER, the second son, designed in ward of Muthil, had issue,

1. *William*, whose only son William became heir male of the family, and died without issue 1747.

2. *James.*

1. *Janet*, married to Mr Macleish.

2. *Christian*, married to Mr Caw in Crieff.

Stirling.

VIII. JAMES ALEXANDER, the second son, went to America in 1714, with the King's commission of surveyor-general of the province of New Jersey; was many years of the council of that province, also of New York, in both of which he acquired great property; held some of the most considerable offices there, and died in 1756. By his wife Mary, daughter of John Sprott of Wigton, in Scotland, he had a son,

William;—and four daughters,

1. *Mary*, married to Peter Vanburgh Livingston, merchant in New York.

2. *Elisabeth*, married to John Stevens of Perth Amboy, in New Jersey.

3. *Catherine*, married to Major Walter Rutherford.

4. *Susanna.*

IX. WILLIAM ALEXANDER, the only son, was surveyor-general, and one of the council of New Jersey; arrived in England 1757, and was served nearest lawful heir male of Henry, last Earl of Stirling, 20th March 1759. He assumed the title of Earl of Stirling; and in 1760 presented to the King the humble petition of William, Earl of Stirling, praying that his Majesty would be pleased to give orders for having his right to the titles and honours of Earl of Stirling, Viscount of Stirling and Canada, and Lord Alexander of Tullibody, declared and established. This petition was remitted to the House of Lords, 2d May 1760. On the 10th of March 1762 the Lords Committee of Privileges resolved, that the said William Alexander be considered as having no right to the said title by him assumed, until he shall have made out his claim, and procured the same to be allowed in the legal course of determination; that, in the mean time, he or any person claiming under him shall not be admitted to vote at the election of any peer of Scotland, and that he be ordered not to presume to take upon himself the said title, honour, and dignity, until his claim shall have been allowed in due course of law. He still, however, retained the

Robertson's Proceedings. 286, 306.

Stirling. title of Earl of Stirling; was a major-general in the American army; was taken prisoner by General Howe on Long Island in August 1776; and died at Albany 12th January 1793, æta. 57, being then commander-in-chief of the American forces in the northern department.

ARMS.—Quarterly: 1st and 4th, Party per pale, argent and sable, a chevron, and in base a crescent, all counterchanged, for Alexander. 2d and 3d, Or, a ship with the sails furled up, sable, between three cross crosslets fitchee, gules, for Macdonald. Over all, in surtout, the badge of a baronet of Nova Scotia, viz. Argent, on a saltire, azure, the royal arms of Scotland, ensigned on the top with an imperial crown, proper. Stirling.

CREST.—A bear, sejant, *erect*, proper.

SUPPORTERS.—Dexter, an Indian, *with* long hair, and a dart in his *right hand*, having a circle of gold on his head, *with* a plume of seven feathers, or and azure, and round his waist a like circle and feathers. Sinister, a mermaid, with a comb and mirror, proper.

MOTTO.—*Per mare, per terras.*

MURRAY, VISCOUNT OF STORMONT.

Stormont. I. SIR WILLIAM MURRAY, third son of Sir William Murray of Tullibardine (see title, Duke of Atholl), married Margaret, daughter and sole heir of James Barclay of Arngosk and Kippo, with whom he got the lands of Arngosk, Balvaird, Kippo, &c. She resigned her whole estates into the hands of King James IV., for new infeftment to herself and her husband in liferent, and to the heirs procreated or to be procreated betwixt them in fee, 25th January 1507. She afterwards, with consent of her husband, and Sir David their son and heir, founded, by charter dated at the castle of Balvaird, 1st August 1527, a chaplainry in the parish church of Arngosk, and endowed it with an annuity of fourteen marks and two acres of land, for the prosperity of King James V., and the welfare of themselves, their heirs, and successors. They had issue,

Chartul. of Cambusken. 14. D.

Penés D. Atholl. D.

1. Sir *David*.

2. *James*, who got from his father the lands of Conland, which afterwards returned to the family.

Daughter, *Elisabeth*, married to Sir Archibald Douglas of Kilspindie. Stormont.

II. Sir DAVID MURRAY of Arngosk and Balvaird, the eldest son, died in December 1550, having married Janet, sister of John, fifth Lord Lindsay of the Byres, by whom he had three sons,

Cart. in Pub. Arch. ad ann. 1526. D.

1. Sir *Andrew*.

2. *William* Murray of Letter Bannathy.

3. *David*, who had a charter of the lands of Airdith, 1563. In Pub. Ar. D.

III. Sir ANDREW MURRAY of Arngosk and Balvaird, the eldest son, had a charter to Andrew Murray, son and heir apparent of Sir David Murray of Balvaird, knight, and to Margaret Ross his wife, of part of the barony of Arngosk, 30th December 1541; succeeded his father 1550, and died in 1576. He married, first, Margaret, daughter of Ninian, second Lord Ross of Halkhead, without issue; secondly, in 1547, Lady Janet Graham fourth daughter of William, second Mag. Sig. L. xxxv. No. 30

Stormont.

Earl of Montrose, and by her had four sons,

1. Sir *Andrew*.

2. Sir *David* Murray of Gospertie.

3. *Robert*, archdeacon of Dunkeld, who died without issue.

4. Sir *Patrick* Murray of Byn and Drumcairn, an officer in the guards, much employed by King James VI. in settling the affairs of the church. He married Isobel Brown, who is mentioned in 1606 as his relict; and dying in 1604 without issue, his brother, Lord Scone, was served heir male and of entail of him, 5th March 1606.

Inq. Ret. iii. 212.

IV. Sir ANDREW MURRAY of Arngosk, the eldest son, had charters to Andrew Murray, son and heir apparent of Andrew Murray of Arngosk, of the baronies of Arngosk and Kippo, and le Park near Edinburgh, 21st January 1571-2; of the lands of Priestisfield, in the King's hands, by the forfeiture of the late Thomas Hamilton of Priestisfield, 30th April 1572; of part of the barony of Ardith in Fife, 10th December 1578; and made a settlement of his estate in 1588, to himself in liferent, remainder to Andrew, his son and heir apparent, David, Robert and Patrick his brothers, David Murray of Airdith his uncle, and the heirs male of their bodies. He died 13th November 1590, leaving by his wife Margaret, daughter of John Crichton of Strathurd, a son,

Mag. Sig. L. xxxiii. No. 25, 75, 166. L. xxxv. No. 25.

In Pub. Arch. D.

Chronicle of Fife, 284.

Sir *Andrew*; and two daughters.

1. *Anne*, married to Mungo, second Viscount of Stormont.

2. *Margaret*, married 17th October 1598, to the laird of Cambo.

Ibid. 285.

V. Sir ANDREW MURRAY of Balvaird, the only son, had a charter to Andrew Murray, apparent of Arngosk, of the lands of Arngosk, Kippo, &c. 26th September 1590; he had a charter of Letterbannathy, on the resignation of David Murray of Letterbannathy, with consent of Agnes Moncrief, his wife, to himself and the heirs male of his body, remainder to Sir David Murray of Gospertie, knight, the King's comptroller, Robert Murray, and Sir Patrick Murray of Gennels, brother-german of Sir David Murray of Letterbannathy, David Murray portioner of Ardet, and the heirs male of their bodies respectively, which failing, to his nearest heirs male whatsoever bearing the name and arms of Murray, 19th November 1699. A charter of the lands of Arngosk, Kippo, Balvaird, &c. was granted to him, with the same remainders, 28th January 1604. He was served heir of Sir David Murray of Arngosk, his great-grandfather, in the lands of Arngosk, Gospertie, Byn, Balvaird, Kippo, &c. 15th August 1615, and died without issue 14th December 1624. He married Catherine, daughter of Sir William Menteth of Carse; she had a charter to Catherine Menteth, wife of the deceased Andrew Murray of Balvaird, of the mains of Balvaird, 13th May 1628. His uncle,

Mag. Sig. L. xxxviii. No. 431. L. xlii. No. 111. L. xliv. No. 118.

Stormont.

Inq. Ret. vi. 59.

Mag. Sig. L. xlviii. No. 397.

IV. Sir DAVID MURRAY of Gospertie, second son of Sir Andrew Murray of Arngosk, had a charter to David Murray, brother-german of Andrew Murray of Arngosk, of the barony of Collenowis, in Perthshire, 15th October 1584, and another of Auchtermuchty, 28th October 1591. He was cup-bearer, master of the horse, and captain of the guards to James VI. who conferred the honour of knighthood on him, and appointed him comptroller of the royal revenues in 1599. He attended the king to Perth, 5th August 1600, when the Earl of Gowrie was killed in his treasonable attempt on his majesty's life, and Sir David Murray had the principal hand in quelling the tumult among the townsmen, thereby occasioned. He accompanied the king to England in 1603, and had a high place in the favour of his majesty, who conferred on him several beneficial grants. He had charters of the barony of Segy in Kinrossshire, 2d March 1601; of the castlestead of Falkland, with the office of Ranger of the Lowmonds, and forester of the woods, 16th November 1601; of Glendovick, 6th February 1602; and of Balinblae and Nuthill, 18th August 1602. He also obtained from the king the barony of Ruthven, and the lands belonging to the abbacy of Scone, of which Gowrie was commendator. These lands were erected into the temporal lordship of Scone, with a seat and vote in Parliament, in which he was invested 7th April 1605. He had charters to David, Lord Scone, of the barony of Segy, united

Mag. Sig. L. xxxvi. No. 9. L. xxxviii. No. 329. L. xliii. No. 75. 144, 145, 207, 208, L. xliv. No. 349. L. xlv. No. 234. L. xlvii. No. 10, 78, 154.

Stormont.

into the lordship of Segie, 30th May 1606: of the lands and baronies which belonged to the abbacy of Scone, united into the temporal lordship of Scone, with the title of a lord of parliament, 18th August 1608, to him and the heirs male of his body, which failing, to Andrew Murray of Balvaird, and the heirs male of his body; of the barony of Elcho, 20th February 1610; the lordship of Drumduff, the lordship of Scone, with the title of a lord of parliament, 29th April 1612; the lordship of Balquhidder, 15th June 1613, and several other charters. He made a settlement of his estates and title, ratified by charter under the great seal, 14th October 1616, to himself and the heirs male of his body; which failing, to Sir Andrew Murray of Balvaird, Sir Mungo Murray of Drumcairn, Sir John Murray of Lochmaben, Gilbert Murray, eldest son of David Murray of Balgony, Andrew Murray, second son of the said David, William Murray, son of Sir Mungo Murray of Cleremonth, and the heirs male of their bodies respectively; which all failing, legitimis et propinquioribus hæredibus masculis Davidis Domini de Scone quibuscunque hereditarie cognomen et insignia de Murray familiæ de Balvaird gerentibus. Lord Scone exerted himself strenuously to introduce episcopacy; he had the principal hand in carrying the articles of Perth through the parliament, 1621, and, as soon as they were passed, was dispatched with that acceptable intelligence to the King, who was pleased to raise his Lordship to the dignity of Viscount of Stormont, by patent dated 16th August 1621, sibi et heredibus suis masculis de corpore suo legitime procreatis seu procreandis, quibus deficientibus, hæredibus suis masculis et talliæ cognomen et insignia de Murray gerentibus, in infeofamentis Dominii de Scone comprehensis. He was served heir male and of entail of Sir Andrew Murray of Balvaird, the son of his brother, 20th July 1625; and, on the 26th of October, the same year, made a settlement of the lordship of Scone, and other estates, to himself and the heirs male of his body, which failing, to Sir Mungo Murray of Drumcairn Master of Stormont, John, Earl of Annandale, Andrew Murray minister of Abdie, &c. and the heirs male of their bodies respectively; of the barony of Balmblae, Drumduff, and other estates, failing heirs male of his body, to Mungo Master of Stormont, Andrew Murray minister of Abdie, Sir William Murray of Clairmouth, and the heirs male of their bodies respectively; and of the baronies of Arngosk and Kippo, including the castle of Balvaird, to Andrew Murray, minister of Abdie, and the heirs male of his body; which failing, to other substitutes. David, Viscount of Stormont, married Elisabeth, daughter of David Betoun of Criech, in Fife, but by her, who died 21st January 1658, had no issue, and dying 27th August 1631, was buried at Scone, where is a magnificent monument to his memory, with an inscription, recited in Crawford's peerage.

Inq. Ret. ix. 74, 153.

Stormont.

Lamont's Annals, MS.

Sir MUNGO MURRAY of Drumcairn, second Viscount of STORMONT, who succeeded him, was fourth son of John, first Earl of Tullibardine. He had charters Domino Quintigerno Murray, Magistro de Stormont, of the lordship of Balquhidder, 29th November 1627; of the lands, barony, and lordship of Scone and Stormont, 4th April 1631; and to Mungo, Viscount of Stormont, of the lands of Kirktoun of Errol, 19th July 1634. His Lordship married first, Anne, eldest daughter of Sir Andrew Murray of Arngosk, niece of the first Viscount of Stormont; she died without issue, 13th May 1639, and was buried at Scone on the 23d of that month; secondly, in 1639, Lady Anne Wemyss, second daughter of John, first Earl of Wemyss, relict of Alexander Lindsay of Edzell, also without issue. Mungo, Viscount of Stormont, dying in March 1642, his titles and the estate of Scone devolved on the next substitute in the entail,

Mag. Sig. L. lx. No. 154. L. lii. No. 123. L. liv. No. 278.

Balf. Ann. MS.

JAMES MURRAY, second Earl of ANNANDALE, who became third Viscount of STORMONT, and was served heir male and of entail of Mungo, Viscount of Stormont, his cousin, in the lordship and barony of Scone, 18th May 1642. Dying without issue at London, 28th September 1658, the viscounty of Stormont, and lordship of Scone, devolved on David, Lord Balvaird, descended from,

Inq. Ret. xvi. 221.

Stormont.

III. WILLIAM MURRAY of Letterbannathy, second son of Sir David Murray of Arngosk and Balvaird. He had charters of Letterbannathy in Strathern, to William Murray, brother-german of Andrew Murray of Arngosk, 14th January 1553-4; of some ecclesiastical lands 15th October 1563; of Drumphingale, to him and Barbara Pitcairn, his wife, 4th March 1564-5; of South-Kinkell, to them, 7th November 1573; of Auchloy, to them, 14th January 1580; all in the county of Perth. By the said Barbara Pitcairn he had three daughters, married to Balcanqual of Balcanqual, Murray of Ochtertyre, and Kinross of Cambusnethan in Strathern, and two sons,

Mag. Sig. L. xxxi. No. 153. L. xxxii. No. 424. L. xxxiv. No. 14, 136. L. xxxv. No. 332.

1. *Andrew*, who died without issue.
2. *David.*

IV. DAVID MURRAY of Balgony, Kippo, and Byn, the only surviving son, is designed David Murray of Balgony, son and heir of the deceased William Murray of Letterbannathy, in a charter 1612. He acquired the estate of Kippo, from the head of his family, but sold it in 1623, and had a charter of the lands of Byn, 1626. He married Agnes, daughter of Moncrieffe of Moncrieffe, and had issue,

Penes Moray de Abercairny, D.

Contr. penes V. de Stormont.

1. *Gilbert*, a substitute in the entail of Scone and Stormont, 1616, who died without issue.
2. *Andrew.*
3. *William.*
4. *David.*

Disposition, Ibid.

Daughter, *Catherine*, married to John Arnot of Pittollie, and had issue.

V. ANDREW MURRAY, the second son, was settled minister of Abdie in 1618; succeeded, on the death of the first Viscount of Stormont, in 1631, to the baronies of Arngosk and Kippo, in virtue of a settlement executed by his lordship 1625, and had a charter of his whole estates, 14th July 1632, to himself and the heirs male of his body, which failing, to Mungo, Viscount of Stormont, and the heirs male legitimately to be procreated betwixt him and Lady Anna Murray, his wife, William Murray brother-german of the said Andrew, Gilbert Murray of Bin, Sir William Murray of Clairmonth, David Murray also brother-german of the said Andrew Murray of Balvaird, and the heirs male of their bodies respectively, which failing, to the nearest legitimate heirs male of David Viscount of Stormont. He was knighted at the king's coronation 1633, and had a charter of the lands of Pitlochie 1636, Domino Andreæ Murray de Balvaird, militi. He was a member of the general assembly at Glasgow 1638, where, by his discretion, authority, and moderation, he greatly allayed their heats and differences, and he was in consequence favourably represented to the King, by the Marquis of Hamilton, his Majesty's high commissioner. Charles I. was pleased to raise him to the dignity of the peerage, by the title of Lord Balvaird, by letters patent dated 17th November 1641, to him ejusque hæredes masculos. On the death of Mungo, Viscount of Stormont, he succeeded to the lands, lordship, and barony of Stormont, in which he was served heir of entail of his lordship, 18th May 1642, and he died on the 24th of September 1644. He married Lady Elizabeth Carnegy, fifth daughter of David, first Earl of Southesk, by whom he had issue,

Stormont.

Patent penes V. de Stormont.

Inq. Ret. xvi. 226.

1. *David*, second Lord Balvaird.
2. Hon. Sir *Andrew* Murray of Pitlochie, ancestor of the Murrays of Murrayshall, in Perthshire.
3. Hon. *James* Murray, M. D. a physician of great reputation and learning. He had one daughter, his heiress, married to Dr Robert Carmichael of Balmblae, and had issue.
4. Sir *John* Murray of Drumcairn, a lord of session, from 1st November 1681 till the revolution. He had an only daughter, Elisabeth, married to Francis, eighth Earl of Moray, without surviving issue.

Hailes's Catal.

5. Hon. *William* Murray, who was admitted a member of the Faculty of Advocates, and became eminent in his profession.

1. Hon. *Catherine* Murray, who died unmarried.

2. Hon. *Barbara* Murray, married to Patrick, ninth Lord Gray, and had one daughter, Marjory, Mistress of Gray.

3. Hon. *Marjory* Murray, married 10th June 1651, to Sir Alexander Gibson of Durie in Fife; he died at Durie, 6th August 1661, æta. 32, leaving by her one surviving daughter, and she had afterwards a

Penes V. de Stormont.

Lamont's Annals, MS.

Stormont.

posthumous daughter, and died at Perth, 6th August 1667. Anne, his daughter and heir, married John Murray of Touchadam and Polmais.

VI. DAVID, second Lord BALVAIRD, the eldest son, was served heir male of Andrew, Lord Balvaird, his father, in the lordship and barony of Stormont, 28th February 1654; was fined L. 1500, by Cromwell's act of grace and pardon the same year; and succeeded to the titles of Viscount of Stormont and Lord Scone, on the death of James, Earl of Annandale, 1658. He obtained a reduction of the service of the Earl to Mungo, Viscount of Stormont, for having contravened the provisions of the entail, by contracting debts, (which debts were declared null,) in the Court of Session, 27th February 1662; and he was served heir male of entail of his cousin Mungo, Viscount of Stormont, in the lordship and barony of Scone, 25th April 1662. He had charters of Reidkirk in Annandale, 5th March 1663, and of his whole estates in the counties of Dumfries, Fife, and Perth, 22d August 1666, erecting them into the Viscounty of Stormont, lordship of Balvaird, Cockpool, Lochmaben, and Scone, and dying 24th July 1668, was buried at Scone. He married at Kinnaird, 9th August 1659, Lady Elisabeth Carnegy, eldest daughter of James, second Earl of Southesk, dowager of James, second Earl of Annandale, and third Viscount of Stormont, and by her had a son,

David, fifth Viscount of Stormont;—and two daughters,

1. Hon. *Catherine* Murray, married to William, second Earl of Kintore, and had issue.

2. Hon. *Amelia* Murray, who died unmarried.

Inq. Ret. xxiv. 150.

Ibid. xxvi. 267.

Mag. Sig. L. lx. No. 333. L. lxi. No. 292.

Lamont's Annals, MS.

VII. DAVID, fifth Viscount of STORMONT, the only son, was served heir male of his father, 7th October 1668, and 9th July 1669. He was a nobleman of parts, honour, and integrity; gave a decided opposition to the treaty of union; was one of those summoned to surrender themselves at the breaking out of the rebellion 1715; and after possessing the title upwards of 63 years, died 19th November 1731. He married, contract dated 31st January 1688, Marjory, only child of David Scott of Scotstarvet, in Fife, by his first wife Nicholas Grierson, only daughter procreated of the marriage between Sir John Grierson of Lagg, baronet, and Janet Murray the eldest of the three daughters and heirs portioners of *Sir James Murray* of Cockpool, elder brother of John, Earl of Annandale, and heirs of line of the Murrays, Earls of Annandale, now represented by the Earl of Mansfield. Marjory, Viscountess of Stormont, died at Comlongon, 20th July 1735, having had fourteen children,

Inq. Ret. xxix. 208, 246.

Stormont. Contr. penes V. de Stormont.

1. *David*, sixth Viscount of Stormont.

2. Hon. *James* Murray, who was admitted a member of the Faculty of Advocates 1710; was the same year chosen Member of Parliament for the boroughs of Elgin, &c. rechosen 1713, and again in 1715, but declared not duly elected. He was one of Queen Anne's commissioners for settling the trade with France, and after her death went abroad. He died at Avignon, in August 1770, being about eighty years of age.

3. Hon. *John* Murray, who died young.

4. Hon. *William* Murray, born at Scone, 2d March 1705, who received his first rudiments of education at the grammar school of Perth, and was sent to England at nine years of age. He was admitted a king's scholar of Westminster 1719, where he gave early proofs of superior ability; and at the election in May 1723, had the honour of standing first on the list of those who were elected for Christ Church College, Oxford, where he was entered 18th June 1723. He took the degree of B. A. 1727, when his elegant verses on the death of George I. were honoured with the first *prize*. He was admitted a student of Lincoln's Inn, in April 1724; took the degree of M. A. 24th June 1730; left the university soon afterwards, and travelled through France and Italy, at an age fitted for improvement and useful observation. He was called to the bar in Michaelmas term 1730. In the pursuit of legal knowledge, his assiduity soon co-operated with his shining abilities. Having acquired the friendship of Pope, he studied elocution under that great master, who proclaimed in bewitching verse the reputation of his friend, addressing to him

Holliday's Life of the Earl of Mansfield.

Stormont. his imitation of the first ode of the first book of Horace, and thus apostrophizing the bar in the Dunciad,

How sweet an Ovid, Murray, was our boast!

Mr Murray was associated with Talbot and Yorke, the attorney and solicitor-general, in an appeal case before the House of Lords, March 1733, respecting the purchase of south-sea stock, and he was soon engaged as counsel in a great number of appeals, when Pope addressed to him his imitation of the sixth epistle of the first book of Horace,

Grac'd as thou art with all the power of words,
So known, so honour'd, at the House of Lords.

He was counsel for the city of Edinburgh in the Porteous cause, 1737, and acquitted himself so much to the satisfaction of his clients, that he was presented with the freedom of the city in a gold box. He was appointed solicitor-general in 1742, and elected Member of Parliament for Boroughbridge, entering the lists in the House of Commons with the greatest of all opponents, William Pitt, who, with a degree of candour worthy of himself, admitted that he found in Mr Murray a fair, open, and formidable rival. On the trial of the lords engaged in the rebellion 1745, the eloquence and sound judgment of Mr Murray was admired, Lord Lovat even going the length of saying that he heard him with pleasure, though it was against his life. In 1751 a charge was made against Mr Murray for being a Jacobite, and drinking the Pretender's health at Mr Vernon's *, a charge calculated to blast his fair prospects. Mr Murray, on oath, gave a particular answer to every part of the accusation, denying that he had ever been present at Mr Vernon's when treasonable healths were drunk under any denomination, and that he believed him incapable of such behaviour. The lords of council came unanimously to an opinion of reporting to the King, that there appeared to them no foundation for any part of the charge.

* Mr Vernon was a mercer on Ludgatehill. Mr Murray had, at Westminster school, contracted a friendship with his son, who dying, and leaving his father childless, Mr Vernon devised estates in the counties of Chester and Derby to Mr Murray, on his entrance into public life.

Mr Murray was promoted to the high station of attorney-general 1754, and in November 1756, he was raised to the office of chief justice of the court of King's Bench, in which court he presided with unrivalled reputation for the long period of thirty-two years, refusing the seals repeatedly, namely, in 1757, 1770, and 1771. He was sworn in 8th November 1756, and the same day created a peer, by the title of Baron of Mansfield in the county of Nottingham, with limitation to the heirs male of his body. His Lordship held the office of chancellor of the exchequer, with a seat in the cabinet, from 9th April 1757, to 2d July following, and it was principally through his mediation that the coalition between Fox and Pitt was brought about. He again held the office of chancellor of the exchequer from 12th September 1767 to 1st December following. Stormont.

His Lordship opposed the doctrine of general warrants, (warrants without naming the persons,) and finally determined against their legality in November 1765. The next year he made a speech in the House of Lords in favour of the right of Britain to tax the American colonies. He now became the subject of public abuse, which he thus noticed in his speech in the case of Wilkes's outlawry, in the King's Bench, 8th June 1768. "I pass over many anonymous letters I have received; I will "do my duty unawed. I will not do that "which my conscience tells me is wrong "on this occasion to gain the huzzas of "thousands, or the daily praise of all the "papers which come from the press. I "will not avoid doing what I think is "right, though it should draw on me "the whole artillery of libels, all that falsehood and malice can invent, or the credulity of a deluded people can swallow. "The threats go further than abuse, personal violence is denounced. I do not "believe it. It is not the genius of the "worst men of this country in the worst of "times; but I have set my mind at rest. "The last end that can happen to any "man never comes too soon if he falls in "support of the law and liberty of his "country, for liberty is synonymous to "law and government." His Lordship's

speech in the Douglas cause 1769, made a deep impression on the House of Lords, and drew from Andrew Stuart, the agent for the Duke of Hamilton, four letters to his Lordship on his conduct in that important appeal.

His Lordship was advanced to the dignity of Earl of Mansfield, in the county of Nottingham, 31st October 1776, to him and the heirs male of his body, and, in default of such issue, the title of Countess of Mansfield aforesaid, to Louisa, Viscountess of Stormont, wife of David, Viscount of Stormont; and, after her decease the title of Earl of Mansfield aforesaid to the heirs male of the body of the said Louisa, Viscountess of Stormont, by the said David, Viscount of Stormont. In the riots of 1780, Lord Mansfield was selected as one of the victims of popular violence, his house in Bloomsbury Square was set on fire by the mob, and every intelligent reader must deplore the irreparable loss sustained by the destruction of his invaluable collection of books and manuscripts in the conflagration. His Lordship escaped with his life only, and on the 14th of June 1780, the last day of term, again took his seat in the court of King's Bench. The reverential silence which was observed when he resumed his place, was expressive of sentiments of condolence and respect, more affecting than the most eloquent address the occasion could have supplied. When the Board of Works applied to his Lordship to know the amount of his loss on that occasion, that reparation might be made, he answered their letter in these dignified terms: "Besides what is irreparable, my "pecuniary loss is great. I apprehended "no danger, and therefore took no precau- "tion; but how great soever the loss may "be, I think it does not become me to "claim or expect reparation from the state. "I have made up my mind to bear my mis- "fortune as I ought, with this considera- "tion, that it came from those whose object "manifestly was general confusion and de- "struction at home, in addition to a dan- "gerous and complicated war abroad. If "I should lay before you any account or "computation of the pecuniary damage I "have sustained, it might seem a claim, "or expectation of being indemnified. "Therefore you will have no further trouble "on this subject from," &c. &c.

Lord Mansfield was now far advanced in life, but there appeared not the least symptom of decay in his bodily or in his mental faculties; he had the quickness and vivacity of youth, tempered with the knowledge and experience of old age, which gave occasion to these verses,

In te mortales verus est vox veraque sæpe,
Bis sunt infantes qui senuere semel.
At te lustrantes juvenemque senemque fatemur
Te semel infantem, bis nitaisse virum.

His Lordship resigned his seat on the bench in June 1788, in his 84th year, on which occasion an affectionate and pathetic address from the bar was transmitted to him by the Hon. Thomas Erskine, expressive of their regret for the loss of a magistrate, whose conspicuous and exalted talents conferred dignity upon the profession, whose enlightened and regular administration of justice made its duties less difficult and laborious, and whose manners rendered them pleasant and respectable. To this Lord Mansfield, without detaining the messenger five minutes, returned an appropriate answer in these terms: "If "I have given satisfaction, it is owing "to the learning and candour of the bar. "The liberality and integrity of their prac- "tice freed the judicial investigation of truth "and justice from many difficulties. The "memory of the assistance I have receiv- "ed from them, and the deep impression "which the extraordinary mark they have "now given me of their approbation and "affection has made upon my mind, will "be a source of perpetual consolation in "my decline of life, under the pressure of "bodily infirmities, which made it my "duty to retire."

His Lordship was created Earl of Mansfield in the county of Middlesex, 26th July 1792, with remainder to David, Viscount of Stormont, and the heirs male of his body; and dying at Kenwood, on the 20th of March 1793, after having been confined to bed for eight days, in the 89th year of his age, was, on the 28th of that month, interred in the same vault with his Countess, in Westminster Abbey. Alexander Baillie, Esq. who, by his Lordship's superior professional abilities, had become

Stormont. possessed of a considerable disputed property, left L. 1500 for erecting a monument to his memory. In a debate in the House of Commons, 3d March 1806, it was observed of Lord Mansfield, "that no "judge of more comprehensive knowledge, "or of more splendid talents, ever sat on the "bench." His Lordship married, 20th November 1738, Lady Elisabeth Finch, daughter of Daniel, Earl of Winchelsea and Nottingham. By her, who was exemplary through life for diligent and uniform attention to the discharge of every religious duty, and who died 10th April 1784, he had no issue, consequently on his death the earldom of Mansfield, in the county of Nottingham, devolved on Louisa, Viscountess of Stormont, and the earldom of Mansfield, in the county of Middlesex, devolved on David, Viscount of Stormont.

5. Hon. *Charles* Murray, who died without issue.

6. Hon. *Robert* Murray, who died without issue.

1. Hon. *Catharine* Murray, who died unmarried, at Edinburgh, 27th November 1754.

2. Hon. *Elisabeth* Murray, who died unmarried.

3. Hon. *Marjory* Murray, married to the Hon. Colonel John Hay of Cromlix, in Perthshire, who by the Pretender was created Earl of Inverness, and was attainted in 1715, third son of Thomas, sixth Earl of Kinnoul.

4. Hon. *Amelia* Murray, married to Sir Alexander Lindsay of Evelick, in the county of Perth, baronet, who died at Evelick, 6th May 1762. She died at Edinburgh, 18th February 1774, having had issue: 1. Sir David Lindsay of Evelick, baronet, custos brevium of the court of King's Bench, captain of a company in the third regiment of foot guards from 1758 to 1776, when he was promoted to the commmand of the 59th regiment of foot. He had the rank of major-general in the army 1777; lieutenant-general 1779; general 1796; and died in Cavendish Square, London, 6th March 1797. He married Susannah Charlotte, daughter of Samuel Long, Esq. of the island of Jamaica, by whom he had six children, of whom two, John and Susan, died in infancy; the others were two sons and two daughters, William Lindsay, Esq. who, in 1791, was appointed ambassador to the republic of Venice, held the situation of governor of Tobago, and died before his father, unmarried. Sir Charles Lindsay of Evelick, baronet, who was bred to the naval service, and commanded La Bonne Citoyenne at the defeat of the Spanish fleet off Cape St Vincent, 14th February 1797. His gallantry and conduct on that occasion were much commended by Earl St Vincent, who had a high opinion of his talents as an officer. He succeeded his father, 6th March 1797, and the next day was promoted to the rank of captain in the royal navy. He sailed to the West Indies, commander of the Daphne, and was drowned by the oversetting of his boat off Demerary, 6th March 1799, when he was proceeding on board his ship in a tempestous evening. He died unmarried. Charlotte Amelia, married, 3d September 1785, to the Right Honourable Thomas Steele, by whom she has a son, Thomas, a lieutenant in the third regiment of foot guards, and two daughters, Charlotte, married to Nicholas Colburne Ridley, Esq. M. P., third son of Sir Matthew White Ridley, baronet, and Harriet, unmarried. Elisabeth, married to Augustus Shultze of Sunning Hill, in Berkshire. 2. Sir John Lindsay, K. B. who attained the rank of captain in the royal navy, 29th September 1757. At the attack on the Havannah in 1760, the commander of the Cambridge being killed, Captain Lindsay was ordered on board that ship, which he led down to the Moro, having upwards of 100 killed and wounded in the conflict. He was particularly serviceable in constructing batteries, and carrying on the attack by land; and on returning home, received the honour of knighthood for his able and intrepid conduct. He was chosen Member of Parliament for the boroughs of Aberdeen, &c. on a vacancy 1767; had a commodore's pendant in the East Indies in 1772, when he was invested with the order of the Bath. He was appointed one of the lords of admiralty, 6th April 1783; lost his seat at the dissolution of the coalition ministry in December that year; was promoted to a Stormont.

flag, 14th September 1787, and had the rank of rear-admiral of the red, when he died at Marlborough, 4th June 1788, æta. 51, buried in Westminster abbey. He married, 19th September 1768, Mary, daughter of Sir William Milner of Nunappleton, in the county of York, baronet, without issue. 1. Margaret, married to Allan Ramsay of Kinkell, and died at London, 4th March 1782, leaving one son, John Ramsay of Kinkell, a major-general in the army, and colonel of the chasseurs Britanniques, and two daughters; Amelia, married to Sir Archibald Campbell of Inverniel, in Argyllshire, K. B. and M. P., a major-general in the army, appointed governor of Jamaica 1781, and of Madras in 1785, who died without issue, 31st March 1791; and Charlotte, married to Colonel Henry Malcolm of Ford Farm, Surry, in the Honourable the East India Company's service, adjutant-general of the Madras army when under the command of Marquis Cornwallis. 2. Katherine, married, 15th April 1773, to Alexander Murray of Henderland, in the county of Peebles; appointed his Majesty's solicitor for Scotland, 30th June 1775; elected Member of Parliament for that county, 1780; and constituted a lord of session, 6th March 1792. He died 16th March 1795, leaving by her three children; William Murray of Henderland, counsellor at law, London; John Archibald Murray, at the Scotish bar; and Amelia Jane Murray.

5. Hon. *Margaret* Murray, who died unmarried at Edinburgh, 18th April 1785.

6. Hon. *Jean* Murray, who died unmarried at Edinburgh, 11th August 1758.

7. Hon. *Nicholas* Murray, who died unmarried at Edinburgh, 4th November 1777.

8. Hon. *Mary* Murray, who died unmarried.

VIII. DAVID, sixth Viscount of STORMONT, the eldest surviving son, a nobleman of learning, honour, and integrity, born about 1689; was one of those summoned to surrender themselves on the breaking out of the rebellion 1715; succeeded his father 1731; and died at Jeanfield, near Dalkeith, 23d July 1748, in his 59th year. He married, 20th January 1726, Anne, only daughter and heiress of John Stewart of Innernytie, and by her had issue,

1. *David*, seventh Viscount of Stormont.

2. Hon. *James* Murray, who died unmarried.

1. Hon. *Anne* Murray.

2. Hon. *Marjory* Murray, who died at Twickenham, 19th April 1799. She and her sister had place and precedency as daughters of an Earl of Great Britain, in virtue of a royal sign manual of 30th April 1793.

IX. DAVID, seventh Viscount of STORMONT, the eldest son, born 9th October 1727, was educated at Westminster school, from whence he went to Christ Church college, Oxford, 1744. His proficiency in classical knowledge at both these seminaries, and his distinguished reputation as a scholar were well known. Many of his Latin compositions still remain, and prove his taste in and command of that language. He continued through life, notwithstanding constant employment in business, to cultivate at leisure hours the learned languages, and with such diligence, that it is thought he left few better Greek scholars behind him. He succeeded his father in November 1748; spent some years in his travels in foreign countries; was chosen one of the sixteen representatives of the Scotish peerage at the general election 1754; rechosen 1761, 1768, 1774, 1780, 1784, and 1790; succeeeded his uncle as Earl of Mansfield in Middlesex, 1793, but sat both as a British and Scotish representative peer from 1793 to 1796, no new election taking place. His Lordship was appointed ambassador to the elector of Saxony, and King and republic of Poland, 1755, and remained with the court of Dresden during its residence at Warsaw, till he was named, along with the Earl of Egremont and Sir Joseph Yorke, to treat for peace at Augsburgh, 1761; but the meeting did not take place, the leading negotiation in London betwixt Mr Stanley and M. Bussy being broken off. His Lordship returned to Britain 1762; was sworn a privy councillor 26th July 1763; and appointed ambassador extraordinary and plenipotentiary to Vienna, in which station he continued till 1772, enjoying the

Stormont.

esteem of Maria Theresa, her son the Emperor Joseph, and their minister Kaunitz. Losing his first lady in 1766, he made an excursion to Italy, where he met the Abbe Winkelmann, who in his Histoire de l'Art de l'Antiquité, said, " Lord Stormont is " one of the most learned men I know. " The death of his lady very sensibly af " fected him, his regret for her loss, and " the melancholy it occasioned brought " him to Rome. The dark vapours which " clouded his mind have been dissipated in " this happy climate." His Lordship was invested with the order of the Thistle 1768; constituted ambassador extraordinary and plenipotentiary to the court of France 1772, and remained there till the commencement of hostilities 1778. That year he received the appointment of justice-general of Scotland, and, 27th October 1779, was constituted principal secretary of state for the northern department, which he held till the dissolution of Lord North's administration 1782. When the coalition ministry was formed, his Lordship was appointed president of the council, 2d April 1783; but on the rejection of Fox's India bill in December following, resigned that office. On the schism of the opposition 1794, his Lordship joined the administration, and was, 27th December that year, a second time appointed president of the council. With what assiduity and superior knowledge his Lordship executed the duties of that important station, the great number of prize causes tried, and the wisdom and justice of the decisions of that board sufficiently prove. He resigned the office of Justice-General of Scotland 1795, and died at Brighthelmstone, on the 1st of September 1796, in the 69th year of his age, being then president of the council, a privy and cabinet councillor, joint clerk of the court of King's Bench, chancellor of Marischal College, Aberdeen, and a knight of the Thistle. He was buried in Westminster Abbey, 9th September, in the same vault with the first Earl of Mansfield. A writer in the Gentleman's Magazine for that month, thus expressed himself: " His Lordship's " conduct as a minister at foreign courts " has been everywhere admitted to be so " invariably governed by the purest and " most rigid principles of truth, honour, " and good faith, and the whole tenor of " his public life at home, whether in his " ministerial or parliamentary capacity, has " been so uniformly influenced by the most " devoted attachment to the welfare of his " country, and the preservation of its constitution, that the very few instances in " which he may have differed from his col- " leagues in office, have only served to " place the manly virtues which distinguish- " ed his public character in a point of view " which should render him as much the " object of imitation to those who are can- " didates for public esteem, as he is the sub- " ject of the admiration and regret of those " whose ministerial situations gave them " the best means of knowing and valuing " him. No man ever fulfilled the relative " duties of social life with more scrupulous " exactness, either as a father, a husband, " a brother, or a friend. His liberality, " was unbounded, not ostentatious indeed, " but secret in the manner, and princely in " the measure, as the writer of this, who " knew him long and well, can vouch, not " only as having been on a very important " occasion of his life the object of it, but " also one of the channels through which " it flowed, to the amount of many thou- " sand pounds. And he is well informed, " besides, of many equally generous re- " liefs distributed through others at differ- " ent times, and in different countries, to " friends in both the inferior and higher " ranks of life, whose distresses were doub- " ly relieved by the concealment. These " acts of uncommon beneficence took place " as well before as after his great accession " of fortune from Lord Mansfield. His loss " as a minister, particularly at the momen- " tous crisis it happened, is much to be de- " plored."

Stormont.

His Lordship married, first, at Warsaw, 16th August 1759, Henrietta Frederica, daughter of Henry, Count Bunau, privy councillor to the Elector of Saxony, and envoy from his court to London and Vienna, of the branch of Puchen, by his wife, daughter of Gustavus Baron of Ragknitz, by his wife Mademoiselle Schomberg, of the same family with the Duke of Schomberg. The Viscountess of Stormont died 16th March 1766; her heart is deposited in the family vault at Scone, in an urn, thus inscribed;

In hac urna amati quod superest cordis deponi voluit conjux.* And on a marble tablet below, are these words: Sacrum Henriettæ Fredericæ filiæ comitis de Bunau, uxoris Davidis vicecom. de Stormont, Mag. Brit. ad aulam Cæsaream legati, floreus ætate, ingenio, forma, omni laude insignis, omni virtute prædita, sibi felicem amicis parentibus et miserrimo conjugi acerbissimam mortem obivit 16 Martii 1766. She had two daughters.

1. Lady *Elisabeth Mary*, born at Warsaw 18th May 1760, married 10th December 1785, to George Finch Hatton of Eastwell park, in Kent, M. P. nephew of the Earl of Winchelsea and Nottingham, and had issue; one of her daughters married, 30th April 1807, the Hon. Major-General Charles Hope of Waughton, member of Parliament for the county of Haddington, seventh son of John, second Earl of Hopetoun.

2. Hon. *Henrietta Anne* Murray, born at Dresden, 16th October 1763, died an infant.

His Lordship married, secondly, 5th May 1776, the Hon. Louisa Cathcart, born 1st July 1758, third daughter of Charles, ninth Lord Cathcart; on the death of William, Earl of Mansfield, in 1793, she succeeded as Countess of Mansfield in the county of Nottingham, in her own right; and she married, secondly, 19th October 1797, her cousin-german the Hon. Robert Fulke Greville, brother of the Earl of Warwick, by whom she has issue. By the Earl of Mansfield she had five children,

1. *William*, third Earl of Mansfield, and eighth Viscount of Stormont.

2. Hon. *George* Murray, born 8th April 1780, who, in February 1795, had a grant of the office of principal auditor of his Majesty's Exchequer in Scotland for life, to commence from the death or other determination of James Townshend Oswald, Esq. He went into the second regiment of life guards, in which he had the commission of cornet, and sub-lieutenant, 3d February 1798, lieutenant 1st September 1798, captain of a troop 1800, major and lieutenant-colonel 1807.

3. Hon. *Charles* Murray, born 22d August 1781, who had a cornet's commission in the second regiment of dragoon guards, 1798, was afterwards captain of a troop in the 28th regiment of dragoons, reduced 1803. He married, at Lymington, 24th September 1802, Miss Law, and has four children, Louisa, Charles Robert, William, and George.

4. Hon. *Henry* Murray, born 6th August 1784, who had a troop in the 20th regiment of dragoons 1802, was promoted to a majority in the 26th regiment of foot or Cameronians 1807, exchanged into the 18th regiment of foot 1810, and married at London, 28th June 1810, Miss Devisme.

5. Lady *Caroline*, born 14th December 1789.

X. WILLIAM, third Earl of MANSFIELD and eighth Viscount of STORMONT, the eldest son, born at Paris, on the 7th of March, 1777, succeeded his father 1796, and married at Bishopthorpe, 16th September 1797, Frederica, daughter of his Grace William Markham, D. D. Archbishop of York, and has issue,

1. Lady *Frederica Louisa* Murray, born 15th February 1800.

2. Lady *Elisabeth Anne* Murray, born 13th September 1803.

3. Lady *Caroline* Murray, born 15th January 1805.

4. *William David*, Viscount of Stormont, born 21st February 1806.

5. Lady *Georgina Catharine* Murray, born 18th July 1807.

6. Hon. *Charles John* Murray, born 25th January 1810.

7. Hon. *David Henry* Murray, born 9th February 1811.

TITLES.—William Murray, Earl of Mansfield, in the county of Middlesex, Viscount of Stormont, Lord Scone and Balvaird.

CREATIONS.—Lord Scone, in 1605, and 18th August 1608, to the first lord, and the heirs male of his body; which failing, to other heirs of entail already narrated, and the heirs male of their bodies respectively; which failing, to his nearest heirs male

* There was afterwards added to the inscription on the urn, at his own request, Mutuique amoris perpetuo memor, nunc demum addit suum.

Stormont. whatsoever bearing the name and arms of Murray, of the family of Balvaird. Viscount of Stormont, a district of Perthshire, 16th August 1621, to the first Viscount, and the heirs male of his body; which failing, to his heirs male and of entail, cognomen et insignia de Murray gerentibus, in infeofamentis dominii de Scone comprehensis. Lord Balvaird, 17th November 1641, to the first lord and his heirs male. Scotish titles.—Earl of Mansfield in the county of Middlesex, 26th July 1792, to the first Earl, with remainder to David Viscount of Stormont, and the heirs male of his body. British title.

Arms.—Quarterly, 1st and 4th Azure, three stars within a double tressure, flowered and counter-flowered with fleurs-de-lis, Or, for Murray; 2d and 3d Gules, three crosses pattee, argent, two and one, for Barclay. Stormont.

Crest.—A buck's head, couped, proper, with a cross pattee between his antlers, argent.

Supporters.—Two lions, gules, armed, Or.

Motto.—*Uni æquus virtuti;* and *Spero meliora.*

Chief Seats.—The abbey of Scone, in Perthshire; Comlongon Castle, in the county of Dumfries; Shaw Park, in the shire of Clackmannan; and Kenwood, in Middlesex.

DRUMMOND, VISCOUNT OF STRATHALLAN AND LORD MADERTY.

Strathallan. I. James Drummond, second son of David, second Lord Drummond, had a charter from his father and Lilias his wife, Jacobo eorum filio, of the lands of Culzequhalze, 6th September 1561. A charter was granted to David, Lord Drummond, and Lilias Ruthven his wife, and James, their second son, of an annualrent out of the barony of Innernethame, in Perthshire, confirmed after the death of Lord Drummond, 14th November 1581. James Drummond obtained from his father, the lands and tithes of the abbey of Inchaffray, (Insula missarum,) in Strathern, and was designed commendator of Inchaffray. He had charters, Jacobo Drummond commendatario de Inchaffray, et domino de Innerpeffry, fratri Patricii domini Drummond, of the baronies of Ouchterardour, Kincardine, and Drymen, in the counties of Perth and Stirling, 3d September 1582, and of the lands of Kirkhill, 20th October 1582. Having been educated with King James VI. and being a man of parts and learning, he was a great favourite of that prince, who appointed him one of the gentlemen of his bedchamber 1585. He attended his Majesty to Perth, on the memorable 5th August 1600, when the Earl of Gowrie and his brother were killed, and gave a distinct and clear deposition relative to that mysterious affair. The King was pleased to erect the abbey of Inchaffray into a temporal lordship, and to create him a peer, by the tittle of Lord Maderty, to him and the heirs male of his body, 31st January 1609. He had charters of the lands of Easter Craigton, &c. in Perthshire, 23d May 1611; of the barony of Uchtermachan, &c. to him and James Drummond his second legitimate son, 27th July 1615; and of the barony of Innerpeffry, &c. 24th March 1618. His Lordship died in September 1623, having married Jean, daughter of Sir Strathallan.

Mag. Sig. L. xxxv. No. 504.

Keith's Catal. 240.

Mag. Sig. L. xxxv. No. 632. 633.

Case of Andrew John Drummond claiming the title of Viscount of Strathallan.

Mag. Sig. L. xlvi. No. 301. L. xlviii. No. 203. L. xlix. No. 279.

Strathallan.

James Chisholm, of Cromlix; with whom he got the barony of Innerpeffry, being her mother's portion, and by her had issue,

1. *John*, second Lord Maderty.

2. Hon. Sir *James* Drummond, of Machany.

1. Hon. *Lilias* Drummond, married to Laurence, fifth Lord Oliphant.

2. Hon. *Jean* Drummond, married to Andrew Wood of Largo, in Fife.

3. Hon. *Margaret* Drummond, married to James Muirhead of Breadiesholm, in Lanarkshire.

4. Hon. *Catharine* Drummond, married to Andrew, first Lord Rollo.

II. JOHN, second Lord MADERTY, was served heir male of his father 17th March 1684, in the barony of Innerpeffry, &c. had a charter of Newrawcraig, &c. in Perthshire, 13th January 1626; joined Montrose after the battle of Kilsyth, 1645, for which he was imprisoned, but in 1649 obliged himself not to oppose the proceedings of parliament, and became cautioner for the good behaviour of Graham of Inchbraco, under penalty of L. 50,000. He married, contract dated 30th April 1622, Helen Lesly, eldest daughter of Patrick, commendator of Lindores, by whom he had issue,

Inq. Ret. viii. 307. Mag. Sig. L. lii. No. 262.

1. *David*, third Lord Maderty.

2. Hon. *James* Drummond, an officer in foreign service, who died without issue.

3. Hon. *John* Drummond, also an officer in foreign service, who died without issue.

4. Hon. *Ludovick* Drummond, a brave officer, and a steady royalist, who, after his escape from the battle of Worcester, went into the Swedish service, and was killed at the storming of Copenhagen, without issue.

5. Hon. *William* Drummond, Viscount of Strathallan.

1. Hon. *Anne* Drummond, married to Patrick Rattray of Craighall, and had issue.

2. Hon. *Jean* Drummond, married to Patrick Graham of Inchbraco.

3. Hon. *Margaret* Drummond, married to Sir Robert Crichton, nephew of the Earl of Dumfries, who changed his name to Murray, upon an entail made by the Laird of Cockpool.

Strathallan.

III. DAVID, third Lord MADERTY, the eldest son, had a charter to David, Master of Maderty, of the barony of Innerpeffry, &c. 27th June 1636. He was imprisoned by order of the committee of estates, with other friends of Montrose, 1644. He married, first, Alison Creightoun, daughter of John Creightoun of Haltoun and Luncardie, of whom she was served heir portioner 1st September 1638; she died in March 1639; they had an only child, *Margaret*, who was served heir of her mother in the half of the lands and barony of Luncardie, &c. 19th March 1642, she died 18th October following, and her father David, Master of Maderty, was served heir of her 14th January 1643. He married, secondly, Lady Beatrix Graham, fourth daughter of John, fourth Earl of Montrose, sister of James, first Marquis of Montrose, and by her had issue,

Mag. Sig. L. lv. No. 225.

Inq. Ret. xiv. 200. xvi. 212. xvii. 36.

1. Hon. *James* Drummond, died young.

2. Hon. *William* Drummond, died young.

1. Hon. *Margaret* Drummond, married to her cousin John Graham, postmaster-general of Scotland, son of Patrick Graham of Inchbraco.

2. Hon. *Beatrix* Drummond, married, 9th October 1669, to John, first Earl of Hyndford, and had issue.

3. Hon. *Mary* Drummond, married to John Haldane of Gleneagles.

According to Fountainhall, David, Lord Maderty, when lying sick, resigned his honours, 11th April 1684, in favour of his brother the general, who, at any rate, was entitled to succeed to them at his death.

Fountainhall, I. 295.

III. The Hon. WILLIAM DRUMMOND, fifth and youngest son of John, second Lord Maderty, had a considerable command in the army raised for the rescue of King Charles I. 1648, known by the name of the engagement. After the discomfiture of that expedition, he went over to Ireland, and joined the Marquis of Ormond, then in arms for the King. He accompanied Charles II. to the battle of Worcester, where he had the command of a regiment, and was taken prisoner. He made

Strathallan.

his escape, joined the royalists in the Highlands, and continued with them till they were dispersed by Morgan in 1654. He then went into the service of the Czar, where he attained the rank of lieutenant-general, and distinguished himself by his bravery and conduct. Charles II. called him home after the restoration, and appointed him major-general of the forces in Scotland 1666. Although he was a known royalist, and an officer of great merit, he was, 1675, confined in Dunbarton Castle, where he remained a twelvemonth, on the surmise of some correspondence with the disaffected in Holland. He was at last released, and restored to his command. He had the appointment of general of the ordnance 1684, and on the accession of King James VII., was constituted general of the forces in Scotland, and a lord of the treasury. He had the title of Lord Maderty resigned in his favour by his brother, 1684; and was created Viscount of Strathallan, and Lord Drummond of Cromlix, by patent dated 6th September 1686, to him and the heirs male of his body; which failing, to his nearest heirs male whatsoever; he died in January 1688.

He married Elisabeth, daughter of Sir Archibald Johnston of Warriston, in the county of Edinburgh, a lord of session, and one of Cromwell's lords of parliament, widow of Thomas Hepburn of Humbie, and by her, who was buried in St George's church in Southwark, 1679, had a son,

William, second Viscount of Strathallan; and a daughter,

Elisabeth, married to Thomas, sixth Earl of Kinnoul, and had issue *.

IV. WILLIAM, second Viscount of STRATHALLAN, the only son, succeeded his father 1688, was served heir in general, and heir male and of line of William, Viscount of Strathalland, Lord Drummond of Cromlix, his father, in his property in the counties of Argyll, Perth, and Stirling, 8th March 1692, and 13th January 1698. He took the oaths and his seat in parliament 30th May 1700, and died 7th July 1702. He married Lady Elisabeth Drummond, second daughter of John, Earl of Melfort, and by her had a son,

Inq. Ret. xlii. 339. xlvii. 525.

Strathallan.

V. WILLIAM, third Viscount of STRATHALLAN, who succeeded his father 1702, but dying without issue at London, 26th May 1711, in his 16th year, his estates of Cromlix, &c. devolved on the Kinnoul family as heirs of line, and he was succeeded in titles by the heir male, William Drummond, descended from,

II. The Hon. Sir JAMES DRUMMOND of Machany, second son of James, first Lord Maderty. He had a charter of the barony of Luncardie 1646; was a colonel of the Perthshire foot in the engagement for the rescue of Charles I. 1648, and died before the restoration. He married Catherine, eldest daughter of Sir John Hamilton of Letrick, sister of John, first Lord Bargeny, and had issue,

1. Sir *James*.
2. *John*, a captain in the army, a brave and gallant officer, killed in the King's service, without issue.
3. *Andrew*, a lieutenant-colonel in the army, who died without issue, September 1678.
4. *Patrick*.
5. *George*.
6. *David*.
7. *William*.
8. *Thomas*. These five youngest sons died, without issue, in the wars.

Daughter, *Catharine*, married to Alexander Robertson of Strowan.

III. Sir JAMES DRUMMOND of Machany, the eldest son, had a fine of L. 500 imposed on him by Cromwell's act of grace and indemnity 1654, and died in July 1675. He married, first, Mary, daughter of Sir James Haliburton of Pitcur, by whom he had a son who died an infant; secondly, Anne, daughter of the Hon. Sir George Hay of Killour, son of Andrew, eighth Earl of Errol, relict of Sir William Moray of Abercairny, and by her, who dying at Machany, 6th June 1657, was buried on the 12th of that month at Foulis, had issue,

Lamont's Annals, MS.

1. Sir *John*.
2. *David*, who died at the university of Leyden, unmarried.

* In the registers of Edinburgh, *is this entry:* Lieutenant-General William Drummond and Grissell Drummond had a son, David, baptised 18th June 1685.

Strathallan.

1. *Lillias*, married, first, to William, fifth Earl of Tullibardine, without issue; secondly, to James, fourth Earl of Perth, high chancellor of Scotland, and had issue.

2. *Anne*, married to Thomas Graham of Balgowan.

Inq. Ret. xxxiv. 74, 81.

IV. Sir JOHN DRUMMOND of Machany, the eldest son, was served heir Vicecolonelli Andreæ Drummond, avunculi, 31st October 1678, and of his father Sir James Drummond of Machany, knight, 2d January 1679. He was outlawed in 1690, for his attachment to the abdicated family; but returned home, and died at Edinburgh 1707. He married Margaret, daughter of Sir William Stewart of Innernytie, second son of Sir William Stewart of Grandtully, and by her had issue,

1. *James.*
2. *John.*
3. *David.* These three died young.
4. *William.*
5. *Andrew* Drummond, founder of the well-known great banking-house of Drummond at Charing Cross. He purchased the estate of Stanmore in Middlesex, 1729, and dying 2d February 1769, in his 82d year, was buried at Stanmore on the 9th of that month. He married Miss Strachan of London, by whom he had a daughter, Isabel, married in 1739, to Captain Peters of the horse-guards, and dying in 1740, was buried at Stanmore, and a son, John Drummond of Stanmore, chosen Member of Parliament for Thetford at the general election 1768, who died 1774; he married, 22d December 1744, Charlotte, daughter of Lord William Beauclerk, second son of Charles, first Duke of St Albans, and by her, who died 7th March 1793, had issue: 1. George Drummond of Stanmore, who died 6th March 1789, æta. 32; he married, 30th November 1779, Martha, fifth daughter of the Right Hon. Thomas Harley, alderman of London, fourth son of Edward, third Earl of Oxford and Earl Mortimer, and by her, who died in August 1788, æta. 32, had three children, Harriet, married 19th April 1803, to Sir Charles Hamilton, Bart. captain R. N.; George Harley Drummond of Stanmore and Drumtochty, M. P. for the county of Kincardine, married, 8th February 1801, to Margaret daughter of Alexander Monro, Esq. Glasgow, and has issue; and Andrew Mortimer Drummond, banker in London, who married, 25th July 1808, Lady Amelia Charlotte Percy, born 9th November 1786, fourth daughter of Algernon, Earl of Beverley. 2. John Drummond, banker at Charing Cross, who married, first, 11th June 1789, Esther, eldest daughter of Thomas Cholmondeley of Vale Royal, in Cheshire, and by her, who died 24th September 1802, he had two sons and three daughters; secondly, in April 1806, Miss Barbara Chester, maid of honour to the Queen, daughter of Charles Chester of Chicheley, in Buckinghamshire, brother of William, first Lord Bagot, by whom he has a son. 1. Charlotte, married in November 1769 to her cousin the Hon. and Rev. Henry Beauclerk, now Lovelace, only surviving son of Lord Henry Beauclerk, by Mary, sister and heiress of Nevil, Lord Lovelace, and dying in March 1774, was buried at Stanmore. 2. Jane Diana, married, 7th April 1776, to Richard Bethell Cox, Esq. and dying in 1790, was buried at Stanmore.

Strathallan.

6. *Thomas*, who engaged in the rebellion 1715, and was made prisoner at the battle of Sheriffmuir.

1. *Anne.*
2. *Margaret.*
3. *Lillias.*
4. *Mary*, married to Campbell of Monzie.

V. WILLIAM DRUMMOND of Machany, the eldest surviving son, succeeded his father 1707, and his cousin as Viscount of Strathallan, Lord Maderty, and Lord Drummond of Cromlix 1711. He engaged in the rebellion 1715, and was taken at Sheriffmuir, but no proceedings took place against him. He repaired to the standard of the Chevalier 1745, and was left commander in chief of his forces in Scotland when he marched into England. At the decisive battle of Culloden, 14th April 1746, he had a command on the right wing of the chevalier's army, and was dismounted when the King's forces obliged the rebels to give way. Endeavouring to mount again with the assistance of a servant, he was cut down and killed by the dragoons. He was included in the

Strathallan. act of attainder 1746, but as his death took place before the time limited for surrendering, it could not take effect against him. He married, contract dated 1st November 1712, Margaret, eldest daughter of Margaret, Baroness Nairn, and Lord William Murray, Lord Nairn. She was, for her activity in support of the chevalier, committed prisoner to Edinburgh Castle, 11th February 1746, and confined there till 22d November following, when she was liberated on bail. She died at Machany, 28th May 1773, having had issue,

1. *James*, fifth Viscount of Strathallan.

2. Hon. *Charles* Drummond, died young.

3. Hon. *William* Drummond, who died at Machany, 25th May 1772; he married Anne, second daughter of Major David Nairne, of the French service, and by her, who died at Edinburgh, 31st May 1782, had two sons, William, a lieutenant-colonel in the army, who died in the West Indies, unmarried, and James Drummond, many years chief of the British settlement at Canton in China, who married, 15th January 1809, Lady Amelia Sophia Murray, born 5th July 1780, third daughter of John, fourth Duke of Atholl, and was, 19th March 1812, chosen Member of Parliament for the county of Perth.

4. Hon. *John* Drummond, buried at Stanmore, 6th December 1743, unmarried.

5. Hon. *Andrew* Drummond, who died unmarried.

6. Hon. *Robert* Drummond of Cadlands, in Hampshire, banker at Charing Cross, who died at London, 19th January 1804, æta. 75; he married in 1753, Miss Thompson of Leicester Fields, daughter of William Thompson of Ipston, in Oxfordshire, grand-daughter of Sir Berkeley Lucy, Bart. and by her had issue: 1. Andrew Berkeley Drummond of Cadlands, banker at Charing Cross, who married, 2d April 1781, Lady Mary Perceval, born 15th July 1758, eldest daughter of John, second Earl of Egmont, by his second wife Baroness Arden, and by her has four children, Mary; Andrew Robert; William Charles; and Catherine Isabella. 2. William. 3. Robert, died young. 4. Charles Drummond, Esq. Banker at Charing Cross, who married, 26th July 1789, Frances, second daughter of the Rev. Mr Lockwood of Portman Square, and has issue. 5. Rev. Henry Roger Drummond, who married Miss Susan Wells, and died leaving issue. 6. Lucy, died unmarried. 7. Mary, died unmarried. 8. Charlotte, married to Peregrine Townley of Townley Hall, in Lancashire, and has issue. 9. Frederick, died young. 10. Richard, an officer in the 19th regiment of dragoons, who accompanied Lord Camelford in a journey overland from India, in which they sustained such hardships and fatigue, that Captain Drummond died at the Lazaretto in Dalmatia, 2d July 1796; in him the service lost an excellent officer and a worthy man. 11. Edward, a lieutenant-colonel of the 60th regiment of foot. Strathallan.

7. Hon. *Henry* Drummond of the Grange, in Hampshire, banker at Charing Cross, who was elected Member of Parliament for Wendover 1774, and for Castlerising 1780; he married, 21st March 1761, Miss Elisabeth Compton, sister of Charles, seventh Earl of Northampton, by whom he had a daughter, Anne, who died unmarried, and a son, Henry Drummond, Banker at Charing Cross, who was elected Member of Parliament for Castlerising 1790, and died 4th July 1794, æta. 31; he married at London, 13th February 1786, the Hon. Anne Dundas, second daughter of Henry, Viscount Melville, and by her, who, 18th December 1798, took to her second husband James Strange, Esq. banker in London, had six children, of whom two died young, the others were Henry Drummond of the Grange, married, 23d June 1807, to Lady Henrietta Hay, eldest daughter of Robert, ninth Earl of Kinnoul; Elisabeth, who died unmarried 1790; Robert, in the navy; and Spencer.

1. Hon. *Margaret* Drummond.

2. Hon. *Anne* Drummond, who died unmarried at Edinburgh, 21st June 1748.

3. Hon. *Mary* Drummond, who died unmarried at Edinburgh, 7th July 1747.

4. Hon. *Amelia* Drummond, who died unmarried at Edinburgh, 22d February 1747.

Two other daughters died young.

VI. JAMES, fourth Viscount of STRATHALLAN, the eldest son, succeeded his fa-

 ther 1746. Having engaged in the rebellion, he was included in the act of attainder under the denomination of James Drummond, eldest son of William, Viscount of Strathallan, although at the time of the passing of that act he was truly Viscount of Strathallan himself. He died at Sens in Champagne, 22d June 1765, having married Eupheme, daughter of Peter Gordon of Abergeldy, in the county of Aberdeen, and by her, who died at Machany, 5th July 1796, had issue,

1. Hon. *James* Drummond of Strathallan, an officer in the royal navy, who died unmarried, 10th December 1775, æta. 23.

2. Hon. *William* Drummond, who died young.

3. Hon. *Andrew John* Drummond of Strathallan.

4. Hon. *Charles* Drummond, who died young.

5. Hon. *John* Drummond, who died young.

1. Hon. *Margaret* Drummond, married, in December 1779, to George Haldane of Gleneagles: she had issue, Charles, who died young; George, who died in his 20th year; James, who died in his 15th year; Margaret, married in 1802 to William Robertson of Lude, and is deceased; Euphemia; and Elisabeth who died in 1803, in her 16th year.

7. Hon. *Louisa* Drummond, who died young.

8. Hon. *Elisabeth* Drummond.

VII. The Hon. ANDREW JOHN DRUMMOND of Strathallan, the only surviving son, succeeded his brother in the estate of Machany, which had been purchased by the family after the forfeiture, in 1775. He was an officer in the third regiment of foot guards, in which he had an ensign's commission, 1773, and continued therein 28 years, rising gradually to the station of lieutenant-colonel of the regiment. He served in America under Sir William Howe in 1776 and 1777, and on the continent in the campaigns 1793 and 1794; had the rank of major-general 1795; and was one of the majors-general on the North British staff from 1795 to 1802. He was constituted colonel-commandant of the fifth regiment of foot 1801, had the rank of lieutenant-general 1802, was appointed colonel of the 11th veteran battalion 1807, governor of Dunbarton Castle 1810, and ranks as general in the army from 1st January 1812. He presented to the King a petition praying that it might be declared and adjudged, that he was entitled to the honours and dignity of Viscount of Strathallan, Lord Maderty, and Lord Drummond of Cromlix. This petition was by his Majesty's command presented to the House of Lords, by Lord Sydney, 26th March 1787, and by them referred to the committee of privileges. The Judges were called in, and it being their unanimous opinion that James Drummond, eldest son and heir apparent of William, Viscount of Strathallan, was attainted by the statute 19th Geo. II. cap. 26. the House of Lords were pleased to reject the claim 12th May 1790.

CREATIONS.—Lord Maderty, 31st January 1609, to the first lord, and the heirs male of his body. Viscount of Strathallan, and Lord Drummond of Cromlix, 6th September 1686, to the first Viscount, and the heirs male of his body, which failing, to his other heirs male.

ARMS,—Quarterly, 1st and 4th, Or, three bars wavy, gules, for Drummond. 2d and 3d, Or, a lion's head, erased, within a double tressure, flowered and counterflowered, gules, as a coat of augmentation.

CREST.—A goss-hawk, with wings displayed, proper.

SUPPORTERS.—Two savages, each wreathed about the middle with laurel, and holding a baton over his shoulder, proper.

MOTTO.—*Prius mori quam fidem fallere;* and *Virtutem coronat honos.*

CHIEF SEAT.—Strathallan house, near Auchterarder, in Perthshire.

EARL OF STRATHERN.

Strathern.

OF this antient earldom, the first possessor on record is,

I. MALISE, or MALLUS, Earl of STRATHERN, who is specified among those that witnessed the foundation of the priory of Scone, by Alexander I. in 1115. He signalized himself eminently at the battle of the Standard, 22d August 1138, when he said to King David I. "I wear no armour, but they who do will not advance beyond me that day." He was father of

Chartul. of Scone. D.

Dalr. Ann. I. 8-7.

II. FERQUHARD, FERCHARD, or FERETH, second Earl of STRATHERN, who is mentioned by Fordun as having leagued with five other Earls against Malcolm IV. He witnessed a charter of that monarch to the monastery of Scone, 1160. In the foundation charter of Inchaffray, he is called Ferchard, *Dei indulgentia*, Comes de Stratheryn. He died in 1171, leaving two sons,

Fordun I. 450.

Carta penes Macf. D.

Chron. of Melrose. D.

1. *Gilbert*, third Earl of Strathern.

2. *Malise*, designed brother of Gilbert, Earl of Strathern, in the foundation charter of Inchaffray.

III. GILBERT, third Earl of STRATHERN, the eldest son, founded the monastery of Inchaffray, insula missarum, the isle of masses, in Strathern, and largely endowed it for canons regular. The foundation charter is in these words, Ego Gilbertus filius Ferquhardi, comes de Strathern, et ego Matilda filia Willielmi d'Aubigny comitissa, &c. damus et concedimus, &c. ecclesiam Sti Kattani de Abbyrothven, pro salute nostra et liberorum nostrorum, et præcipue pro anima Gilchristi, primogeniti nostri ibidem quiescentis, &c. dated in 1198, confirmed by King William I. in 1200, before these witnesses, Malise, brother of Earl Gilbert, William, Ferquhard, and Robert his sons. Gilbert, third Earl of Strathern, who was alive in 1219, appears to have had another wife, Isenda, called sponsa Gilberti comitis de Strathern, in the chartulary of Inchaffray, fol. 41. a. She granted to that monastery five acres in villa mea de Abcany. This grant was confirmed by her husband, and witnessed by Abraham, Bishop of Dunblane. Gilbert, Earl of Strathern had issue,

Carta penes Macf. D.

Lord Hailes's MS. Notes.

1. *Gilbert*, who died before his father, in October 1198.

2. *William*, witness to the confirmation charter of Inchaffray, 1200, who died before his father.

3. *Ferquhard*, also a witness to the same, who died before his father.

4. *Robert*, fourth Earl of Strathern.

5. *Malise*, mentioned in the chartulary of Inchaffray. King William I. gave to him the lands of Kincardine, to be held of Earl Robert his brother.

Crawf. Peer. 467.

6. *Fergus*, designed brother of Robert, Earl of Strathern, in the chartulary of Arbroath, about 1200.

1. *Christian*, married to Sir Walter Oliphant, ancestor of Lords Oliphant, who got with her the lands of Strageath, in Perthshire.

2. *Cecilia*, married to Sir Walter de Ruthven, ancestor of the Earls of Gowrie, who got with her a good estate.

3. *Mary*, said to be the wife of William, progenitor of the family of Hamilton. [qu. ?]

4. *Matilda*, mentioned in the chartulary of Inchaffray. She married Malcolm, Earl of Fife, who got with her the lands of Glendovan, Cambo, Aldi, and Fossedmego.

Sibb. Fife, 229.

IV. ROBERT, fourth Earl of STRATHERN, the eldest son, witnessed a charter of Alexander II. of the earldom of Fife, in the 11th year of his reign, 1224-5. When the differences betwixt that monarch and Henry II. were accommodated by the Cardinal legate, at York, in 1237, the Earl of Strathern was one of the witnesses to the treaty. He died before 1244, leaving two daughters, *Annabella*, married to Sir David

Book of Charters, Macf. I. 142. D.

Fœdera, I. 377.

Strathern. Graham, ancestor of the Duke of Montrose, who got with her the barony of Kincardine, and *Lucia*, married to Sir William Sinclair, also a son,

V. MALISE, fifth Earl of STRATHERN, who was one of the guarantees of a treaty betwixt Alexander II. and Henry III. 1244. He was one of the English party, in the minority of Alexander III., was received into the protection of Henry, 10th August 1255, and was one of the guardians of the King and Queen of Scotland, appointed in virtue of the treaty of Roxburgh, 20th September 1255. He made a grant to the monks of Inchaffray, in pure alms, Gilmory Gillendes, servum nostrum, cum tota sequela sua, apud Kenmore, die annunciationis B. V. M. (25th March,) 1258; also, Johannem dictum Starnes, filium Thomæ filium Thore, cum tota sequela sua, et omne jus et clameum quod ego in eodem Johanne vel prole ab ipso suscitata habeo vel habere potero, 7 id. Maii 1258. He was one of the nobles of Scotland to whom Henry III. engaged to surrender the child of the Queen of Alexander III. when she was going to lie in at her father's court in England, 16th November 1260. The Earl of Strathern died in 1270, according to Fordun, who says Malisius Comes de Stratherne in partibus Gallicanis decessit, vir genere et liberalitate præclarus, et super omnes compatriotas munificus, et apud Dunblane sepelitur. The same author says, he married a daughter of Eugene of Ergadia, relict of the King of Man. Nobilis mulier Maria Regina de Man et Comitissa de Stratherne, swore fealty to Edward I. at Perth, 8th July 1292. He had a son,

Fœdera, I. 428, 559, 566.

Dalr. Ann. I. 334. N.

Fœdera.

Fordun, II. 109, 114.

Fœdera, II. 571.

VI. MALISE, sixth Earl of STRATHERN, who was one of the guarantees of the marriage treaty of Margaret of Scotland, with Eric, King of Norway 1281. He sat in the Parliament at Scone, 5th February 1283-4, when the Scotish nobles became bound to acknowledge Margaret of Norway as their sovereign, in the event of the demise of Alexander III. He agreed to the marriage of Queen Margaret with Prince Edward, at Brigham, 12th March 1289-90; was one of the nominees on the part of Baliol, claiming the crown of Scotland, 1292; swore fealty to King Edward I. at Stirling, 12th July 1292; and was present at Berwick, 17th November 1292, when the claim was decided in favour of Baliol. He was one of the nobles summoned to attend Edward I. into Gascony, 1st September 1294; was in the Scotish army that invaded England in March 1296, for which it appears that his estates were sequestrated. He however, again swore fealty to Edward, 13th July 1296; and he was dead before 3d September 1296, when the English monarch issued an order to the Sheriff of Perth to repone Maria quæ fuit uxor Malisii comitis de Strathern, in her lands. Malise, Earl of Strathern, is said to have married Lady Egidia Cumyn, daughter of Alexander, second Earl of Buchan, by whom he had a son,*.

Ibid. II. 1082, 266, 471, 555, 569, 643.

Strathern.

Dalr. Ann. I. 257.

Prynne, III. 649.

Fœdera, II. 727.

Malise, seventh Earl of Strathern, and a daughter,

Mary, married to Sir John Moray of Drumsargard, who got with her the lands of Ogilvy, Abercairny, and Glensherop; they had three sons, Maurice, Earl of Strathern, Sir Alexander Moray of Drumsargard, Ogilvy, and Abercairny, and Walter, ancestor of the Morays of Ogilface.

See Vol. I. p. 219.

VII. MALISE, seventh Earl of STRATHERN, the only son, was one of the adherents of King Robert I., as, among the orders relative to them, in 1306, is the following: Fait a remembrer qe le Conte de Strathern, quant il sera venuz au Roi, soit enveez au Rouecestre, por le garder en la tour illueques. Malise, Earl of Strathern, was ordered to be released from prison, 18th November 1308, having given security for his loyal behaviour to Edward II., and not to leave England without the King's permission. Malisius Comes de Stratheryne, signed the letter to the Pope, asserting the independence of Scotland, 1320. According to Knighton, he fell at the battle of Halidonhill, 19th July 1333, and his name occurs in the list of those slain in that engagement, in Dalrymple's annals. This

Fœdera, II. 1014, III. 116.

Fordun, II. 275.

Dalr. Ann. III. 93.

* Robert de Strathern, and Maucolum de Strathern, clerk, del counte de Peebles, swore fealty to Edward I. 1296, Prynne III. 655, also, John de Strathern, del counte de Forfar. *Ib. 658.*

Strathern.

however appears to be a mistake. Edward Baliol granted the earldom of Strathern to John de Warren, Earl of Warren and Surry, and, on the 2d of March 1334, addressed the following letter to Henry de Bellomonte, Earl of Boghan, (Buchan,) indicating that Malise, Earl of Strathern, was then alive. Scimus vestram prudentiam non latere qualiter consanguineus noster Edwardus Rex Scotiæ comitatum de Strathern, in manu regis existentem, per forisfacturam Malisii nuper ipsius comitis inimici et rebellis sui notorii et adjudicati, de commune consilioprocerum et aliorum, secum in expeditione guerræ suæ existentium, contulit dilecto consanguineo et fidelinostro, Johanni de Warrene, Comiti Surriæ, in recompensationem sumptuum et laborum, quos idem comes in guerra sua Scotiæ apposuit affluenter. Sed jam ut dicitur dictus Malisius instare nititur pro recuperatione dicti comitatus, et revocatione adjudicationis dictæ forisfacturæ, per quosdam sibi benivolos et alteri parti suspectos tantummodo, faciendo. Quod utique si fieret, honorem regium non deceret, ut tam leviter, per viros suspectos, revocari permitteret, quæ de communi consilio procerum omnium, sibi in necessitatibus assistentium, extitit concordatum. Super quo dicto Regi scripsimus, requirendo ut dictum negotium solempniter et communiter tractari jubeat, non per malivolos, sed per pares, et alios proceres et fideles, regni Scotiæ, non suspectos. Circa quod, sicut de vobis confidimus, cum instantia laboretis, non permittentes processum subitum super tanto negotio, coram vobis vel locum vestrum tenente, fieri quovis modo. Esset etenim revocatio hujusmodi res mali exempli, nedum dicto Comiti Warrenæ, sed etiam vobis, et aliis, causam consimilem habentibus, in futurum forsitan periculum allatura. Edward's letter to Edward Baliol, therein mentioned, is also inserted in Rymer; and John de Warren, Earl of Surry and Strathern, was one of the nobles who witnessed Baliol's surrender of part of Scotland to Edward III. 12th July 1334. This potent nobleman, John de Warren, Earl of Warren, Surry, and Strathern, died in July 1347, æta. 61, without issue, and was succeeded by his sister Alice, wife of Edmund Earl of Arundel.

Fœdera, IV. 595.

Fœdera, IV. 596, 615.

Considerable difficulties occur respecting the marriages and issue of Malise, Earl of Strathern. Robert I. granted a charter of the lands of Halsyngton, in Berwickshire, which lands, Maria sponsa quondam Nicolai de Graham, militis, et una heredum Marjoriæ de Muscocampo Comitissæ de Strathern, resigned to Patrick, Earl of March. In the reign of the same monarch, Malise, Earl of Strathern, granted a charter of the lands of Carcathie, in Forfarshire, to Johanna, daughter of Sir John Menteth, knight, wife of the said Earl. Robert I. granted a charter to Maria de Strathern, wife of Malise of Strathern, of the lands of Kingkell Brechin, which were David de Brechin's. The Countess of Strathern, having engaged in a conspiracy with other persons of rank, against Robert I., revealed it, and the conspirators were tried in a parliament held at Scone, in August 1320, when David de Brechin, nephew of the King, and others, were sentenced to death, and executed; William de Soulis, and the Countess of Strathern, were doomed to perpetual imprisonment. Among the missing charters of David II. is one of the contract and marriage betwixt Malisius, Earl of Strathern, Caithness, and Orkney, and William, Earl of Ross. Sir James Balfour notices, that Matilda, daughter, and heiress of Magnus, Earl of Orkney and Caithness, married Malise, Earl of Strathern, who, in her right, was Earl of Orkney and Caithness. Sir Robert Gordon, says, in 1344 Malesius, Earl of Caithness, Orkney, and Strathern, gave the earldom of Caithness to William, Earl of Ross, in marriage with his daughter Isabel, which disposition of Malesius was not confirmed by King David Bruce till 1362; this Malesius was forfeited and attainted by King David 1345, for giving his title of the earldom of Strathern to the Earl of Warren, an enemy of David. Sir James Dalrymple states, that Joanna, the daughter of Mallys, Earl of Strathern, was forefaulted for marrying the Earl of Warren, an enemy to the king and kingdom. King David II. made a grant to Maurice Moray, Earl of Strathern, of the said earldom, which Malesius Earl of Strathern gave to the Earl of Warren, and he lost by forfaultrie. King Robert II., on the 21st of March 1374-5, granted two charters to David, Earl of

Strathern. Robertson's Index, 11, 18, 19.

Dalr. Ann. II. 107.

Robertson's Index, 51.

MS. in Bibl. Jurid.

Hist. of Suth. 49.

Dalr. Hist. Coll. 376.

Robertson's Index, 56, 79, 120, 129.

Strathern. Strathern, the first of the castle and lands of Brathwell, and all other lands, lordships, and rights of lands whatsoever, as well in the county of Caithness as in other parts of the kingdom, which belonged to Alexander de l'Ard, by hereditary succession, by reason of Matilda de Strathern his mother; and the second of all right and claim to the earldom of Strathern, which Alexander de le Arde had; both on the resignation of the said Alexander. Mariot Chene, wife of the deceased John Douglas, had a charter of half of the barony of Strabrock, and a fourth part of the earldom of Caithness, on her own resignation, 25th May 1366.

Marjory de Muscocampo (Muschamp), Countess of Strathern, was probably the first wife of Malise, Earl of Strathern, perhaps his step-mother, which is most consistent with chronology. Johanna, daughter of Sir John Menteth, appears to have been his second wife, and mother of Johanna, Countess of Surry and Strathern, who, according to Crawford, was the Countess of Strathern engaged in the conspiracy against Robert I. in 1320. Isabella, daughter of Magnus, Earl of Caithness and Orkney, appears to have been his third wife, and it would seem that he had by her four daughters; ———, married to William, seventh Earl of Ross; Isabel, married to Sir William Sinclair of Roslin; Matilda de Strathern, mother of Alexander de l'Arde; and ———, married to Reginald Chene, mother of Mariot Chene; and that these four daughters inherited the earldom of Caithness and Orkney in right of their mother, untouched by their father's forfeiture.

Crawf. Peer. 467.

Strathern.

The earldom of Strathern was, by King David II. granted to

Sir Maurice Moray of Drumsargard, Lord of Clydesdale, nephew of Malise, seventh Earl of Strathern. He joined the Steward of Scotland at the siege of Perth, 1339; had charters to Maurice Moray, of the Barony of Strathevin in Lanarkshire; the town of Branxholm, in the barony of Hawick, forfeited by John de Baliol; the two Lethams, with the lands of Carmulache, which Alexander Moubray forfeited; the lands of Ogilvy, in eschaet of William Hamilton, Englishman; the lands of Gosfoord and Bissetland in vicecom. Edinr.; the barony of Sproustoun in Roxburghshire; the ward of Walter Cumyn of Rowallan; and the lands of Atheren in Stirlingshire. King David II. granted a charter of the earldom of Strathern to him and the heirs male of his body; which failing, to return to the crown, 1343. The same monarch also granted charters, Mauritio de Moravia, Comiti de Strathern, of the barony of Hawick, in Roxburghshire; of a justiciary, and of the right of Donypais. He fell at the battle of Durham, 17th October 1346, without issue, when the earldom of Strathern reverted to the crown. King David II. gave a charter to John Iles of the reversion of the barony of Lundie in Angus, after the decease of Jean, Countess of Strathern, probably relict of Maurice, Earl of Strathern.

Dalr. Ann. II. 224.

Robertson's Index, 40, 42, 46, 54.

South. Add. Case, v. 55.

Robertson's Index, 33, 51.

STEWART, EARL OF STRATHERN.

King David II. granted the earldom of Strathern to his nephew Robert, the steward of Scotland, who is designed Earl of Strathern 1361. Succeeding to the throne of Scotland, 22d February 1370-1, he soon afterwards conferred the earldom of Strathern on his eldest son of the second marriage,

Strathern.

I. DAVID, Earl of STRATHERN, who was among those that paid homage to King Robert II. at Scone, 27th March 1371, the day after his coronation, being designed David Senescallus filius regis junior, Comes de Stratheryn. He had a charter from his father, David Senescallo militi, Comiti de Stratherne, filio nostro carissimo, of the earldom of Stratherne, to be held by him and his heirs in free regality, and as fully as the deceased Malisius, Earl of Stratherne, or any other Earl of the same had possessed it, 13th June 1371. Three more charters of the same earldom were granted to him, 3d July and 19th October 1371, one of them including omnes alias et singulas terras, tenandias, et tenementa cum pertinen. quæ tenentur et tenebantur antiquitus de ipso comitatu ubicunque infra regnum nostrum. He had charters of the castle of Urchard, and barony of the same, in the county of Inverness, 19th June 1371, and of the castle of Brathwell and lands of the same, in the earldom of Caithness, 21st March 1374-5. David Styward, Comes de Strathern, had a safe conduct into England, 3d February 1373. He was created Earl of Caithness by his father, and is designed Earl Palatine of Strathern and Earl of Caithness, in a charter of King Robert II., dated 14th February 1380-1. He had a safe conduct into England, with sixty horsemen in his retinue, 23d February 1382. The period of his death is uncertain. He left a daughter,

Robertson's Index, Ap. 13.

Reg. Mag. Sig. 85, 86, 87, 89.

Fœdera, VII. 5.

Reg. Mag. Sig. 142.

II. EUPHAME, Countess Palatine of STRATHERN, and Countess of CAITHNESS, who resigned the earldom of Caithness in favour of her uncle Walter Stewart, Lord Brechin, and he obtained a charter of the same. She married Sir Patrick Graham, second son of Sir Patrick Graham of Dundaff and Kincardine, who, in her right, became Earl of Strathern. Patrick de Graham, Earl of Strathern, with consent of Eufamia his wife, granted to their beloved cousin, Eufamia de Lindesai, daughter of Sir Alexander Lindesai, knight, late Lord of Glennesk, an annuity of five pounds Scots from their two towns of Kinkell in Perthshire, 6th December 1406. Patrick Graym, Earl of Strathern, had a safe conduct to come into England, 31st July 1408, as hostage for Murdac, designed Earl of Buchan, eldest son of the Regent Albany; again, 18th May 1412, as hostage for the same person, designed Murdac Steward, Master of Fife. He was treacherously killed by his brother-in-law, Sir John Drummond of Concrag, at Crieff, on St Laurence's day (10th August) 1413, non obstante quod ante hoc erant per literas et juramenta assecurati, et de perpetua amicitia confœderati, data in matrimonium dicto militi sorore dicti comitis, ac de fractione sacramenti corporis Christi, ad firmiorem fœderis indissolubilitatem ad invicem communicati. The principal agents in this murder, Walter Oliphant and Arthur his brother, were drawn and hanged, and Sir John Drummond fell by disease. The Earl and Countess of Strathern had a son,

Ibid. 250.

Fœdera, VII. 544, 735.

Strathern.

Fordun, II. 447.

Malise, Earl of Strathern; and two daughters,

1. Lady *Eupheme*, married, first, to Archibald, fifth Earl of Douglas, and second Duke of Touraine; secondly, in 1440, to James, first Lord Hamilton, and had issue by both.

2. Lady *Elisabeth*, married to Sir John Lyon of Glamis.

III. MALISE, Earl of STRATHERN, the only son, was one of the hostages nominated for the release of King James I. by the treaty of 4th December 1423, when his annual revenue was estimated at 500 marks. Malitius de Grame, Comes de Stratheryn, had a safe conduct to meet King James I. at Durham, 14th December 1423. In the first parliament of James, in 1424, a statute was enacted for inquiring what lands belonged to the crown at the demise of Robert I., and the King was empowered to call for the production of all charters and evidents. In the course of his inquiries the King turned his attention to the earldom of Strathern, and under pretence, as is said, that it was a male fee, he divested Malise, and conferred the earldom on his uncle Walter, Earl of Atholl and Caithness, grand-uncle of Malise, for his life only, 22d July 1427. Walter was executed for the execrable murder of his sovereign and benefactor, in April 1437, and the earldom of Strathern was annexed to

Fœdera, X. 307, 309.

Suth. Add. Case, v. 56.

Strathern. the crown by act of parliament, 4th August 1455. To Malise, late Earl of Strathern, the King assigned Craynis and other lands, which he erected into the earldom of Menteth, to be held in a free earldom by Malise, and the heirs lawfully procreated or to be procreated of his body; which failing, to return to the crown, by charter dated 6th September 1427. Accordingly Malise was stiled Earl of Menteth, when he went up to England as a supplementary hostage for James I., 9th December 1427. He and his successors have been already treated of under that title. After two centuries had elapsed, William, Earl of Menteth, was served nearest heir of blood to David, Earl of Strathern, 25th August 1630. In consequence of this service, King Charles I., by patent dated 31st July 1631, ratified the same, and consented that William, Earl of Menteth, and his heirs male and of entail in the earldom of Menteth, should, in all time to come, be stiled Earls of Strathern and Menteth. A reduction of the retour and patent was afterwards instituted, and the Court of Session set aside the same 22d May 1633, upon the erroneous reason in fact, that David, Earl of Strathern, died without issue. William, Earl of Strathern and Menteth was created Earl of Airth, 21st January 1633, with precedency from 6th September 1428 [qu. 1427.?] as has been shown under that title.

Fœdera, X. 381.

Strathern.

LYON, EARL OF STRATHMORE AND KINGHORN.

Strathmore. THE first of this antient sirname on record is,

I. JOHN LYON, who, about 1342 or 1343, had a charter of the lands of Forteviot and Forgundenny, in Perthshire; Curtestoun and Drumgovan, in Aberdeenshire, &c. He had also, from David II., a charter of the thanedom of Thanades, and the reversion of the thanedom of Glamis. His son, if not the same person with himself,

Penes Com. de Strathmore. D.

Robertson's Index, 67.

II. Sir JOHN LYON, had a charter from King Robert II., dated 8th March 1371-2, dilecto et fideli nostro Johanni Lyon, pro fideli servicio suo nobis impenso et impendendo, omnes et singulas terras nostras thanagii de Glamuyss infra vicecom. de Forfar, tenend. dicto Johanni et heredibus suis in liberam baroniam. He was secretary to the King, being designed secretarius noster in a charter of that monarch, confirming the resignation of the lands of Kydston, in favour of Sir Malcolm Fleming of Biggar, 7th April 1372. He had a charter from Robert II., dated 27th September 1379, carissimo filio nostro Johanni Lyoune, militi, of some lands in Thuristoun, Wodhall, and Wodoley in the constabulary of Haddington, on the resignation of Margaret de Eklys, grand-daughter and heir of the deceased Thomas de Eklis. He held the office of great chamberlain of Scotland, as appears from a charter of King Robert II. to Alan de Erskyn, knight, of the lands of Inchmartyn, in the barony of Langforgrund in Perthshire, quæ fuerunt dilecti filii nostri Johannis Lyon, camerarii nostri Scotiæ, and which he resigned into our hands, dated 24th October 1376. A charter was granted by Robert II., dilecto filio nostro Johanni Lyoun, militi, of the lands of Altyrmony and Dalrevach, in Stirlingshire, forfeited by the late William Clerk of Fawkyrk, 29th May 1381; and another of the lands of Kyldonquhane, in Fife, resigned by Robert de Roos, son and heir of Hugh Roos of Kynfaunis, 4th April 1382. He made a settlement of his estates on himself and the legitimate

Reg. Mag. Sig. 90.

Crawf. Off. St. 300.

Strathmore. Reg. Mag. Sig. 132.

Ibid. 14.

Ibid. 15.

Penes Com. de Strathmore. D.

Strathmore.

heirs of his body, remainder to Patrick Lyon his nephew, and Michael Lyon, brother of Patrick, and the heirs male of their bodies respectively; remainder to his own nearest heirs whatsoever, confirmed by Robert II., 30th January 1379-80. He had a safe conduct into England for himself and forty horsemen in his retinue, 6th February 1382. Sir John Lyon, who was endowed with all the gifts of body and mind, comely in personage, well bred, and of a good carriage and winning behaviour, fell in a duel with Sir James Lindsay of Crawford, at the moss of Balhall, in Forfarshire, in 1383, and he was buried at Scone by orders of the King. He married Jean, second daughter of King Robert II., with whom he got the barony of Kinghorn, and was allowed to carry the double tressure of Scotland in his arms; he also assumed for his crest a lady from the waist upwards, circled with a garland of laurel, holding in her right hand a thistle proper, in commemoration of that alliance. By her, who married, secondly, Sir James Sandilands of Calder, he had a son,

Fœdera, VII. 343.

Hume's Hist. House of Douglas, 165.

Crawf. Off. St. 301.

III. Sir JOHN LYON of Glamis, who was served heir of his father 1396, was engaged in the battle of Harlaw, 1411, and appears to have been afterwards taken by the English, as John Lyoun was one of the Scots prisoners released from the tower of London, 12th April 1413. Among the hostages nominated for the release of James I. by the treaty of 4th December 1423, was John Lyon of Glaumis, whose annual revenue was estimated at 600 marks. Johannes Lyonus miles, had a safe conduct to Durham to meet King James I., 13th December 1423. He died in 1435, leaving by his wife, Lady Elisabeth Graham, second daughter of Patrick, Earl of Strathern, by Euphemia, Countess Palatine of Strathern, only child of David, Earl of Strathern, eldest son of the second marriage of King Robert II., three children,

Penes Com. de Strathmore. D.

Fœdera, IX. 5. X. 308, 309.

1. *Patrick.*

2. *Michael,* who got from his father several lands, which returned to the family on his death without issue.

3. *David,* who got from his brother the lands of Lethen, &c. and married Margaret Strachan.

Carta penes Com. de Strathmore. D.

IV. PATRICK LYON of Glamis, the eldest son, was one of the hostages for the ransom of King James I., delivered up to the English 28th March 1424, when the annual revenue of Patricius primogenitus et hæres Domini Johannis Lyon, was estimated at 300 marks; an order for his release was issued 9th June 1427. He was created a peer, by the title of Lord Glamis. According to the chronicle at the end of Fordun, his creation took place in 1445; he is designed Patrick, Lord Glamis in a charter, 16th February 1449-50. Patricius, Dominus de Glaumys, had a safe conduct into England as a commissioner to settle infractions of the truce, 17th April 1451. He had a charter to Patrick Lyon, Lord Glames, of Cardeun, Barclay, Drumley, &c. on the resignation of Robert Fleming of Biggar, 10th June 1451; was a privy councillor of James II.; appointed master of the household 1452; had a safe conduct into England, 8th July 1454, under the designation of Patricius Leon, Dominus de Leon, and died in 1459. By his wife Isabel, daughter of Sir Alexander Ogilvy of Auchterhouse (who married, secondly, Gilbert, first Lord Kennedy, as he, with Isabel, Lady of Glemys his wife, appeared before the lords of council in a civil cause, 13th October 1478,) Patrick Lord Glamis had issue,

Strathmore.

Fœdera, X. 328. Pinkerton, I. 375, 455.

Fordun, II. 542.

Mag. Sig. L. iv. No. 108.

Fœdera, XI. 283.

Mag. Sig. L. iv. No. 143.

Crawf. Peer. 469.

Fœdera, XI. 349.

Acta Dom. Concilii, 12.

1. *Alexander,* second Lord Glamis.

2. *John,* third Lord Glamis.

3. *William,* ancestor of the Lyons of Ogill, in the county of Forfar.

Daughter, *Elisabeth,* married to Alexander Robertson of Strowan, as appears from a charter to them, wherein she is designed daughter of Patrick, Lord Glamis, dated 1st April 1460.

Carta in Pub. Arch. D. Doug. Baron. 406.

V. ALEXANDER, second Lord GLAMIS, had a charter to Alexander Lyon, son and heir apparent of Patrick, Lord Glamis, and to Agnes Crichton his wife, daughter of William, Lord Crichton, chancellor of Scotland, of Auchtermuny, in Stirlingshire, Baulhary and Petedy, in the constabulary of Kinghorn, on her father's resignation, 16th February 1449-50. Succeeding his father, he had a charter to Alexander, Lord Glamis, and Agnes his wife, from Mary the King's mother, of the manor or castle

Mag. Sig. L. iv. No. 108. L. vi. No. 68, 111.

Strathmore.

of Kinghorn and lands of Balberdy in Fife, dated 19th October 1463; and he died in 1485. He married Elisabeth, second daughter of William, Lord Crichton, chancellor of Scotland, but had no issue by her, who took to her second husband Walter Ker of Cessfurd; they are mentioned in the records of Parliament, 10th May 1491. His brother,

Rec. Parl. 408.

V. JOHN, third Lord GLAMIS, had a charter to John Lyon of Curtastoun, and Elisabeth Scrimgeour, his wife, dated 17th April 1479; succeeded his brother, and, under the designation of John, Lord Glamis, founded a chapel at Glamis, by charter dated 20th October 1487. He was a privy councillor to King James IV., was appointed justiciary of Scotland, 1489, and had a charter of part of the barony of Baky, in Forfarshire, 4th July 1489. John, Lord Glamis, had a safe conduct as ambassador to England, 14th June 1491, obtained a charter making the town of Glamis a free burgh of barony, 20th October 1491, and died in 1497. He married Elisabeth, daughter of Sir John Scrimgeour of Dudhope, constable of Dundee, and had issue,

Mag. Sig. L. x. No 17. L. xii. No. 60.

Crawf. Peer. 469 Mag. Sig. L. xii. No. 267.

Fœdera, XII. 446.

Mag. Sig. L. xiii. No. 169.

1. *John*, fourth Lord Glamis.

2. *David* Lyon, first of the house of Cossins, designed son of John, Lord Glamis, in a charter 1492. He was killed at Flodden, 9th September 1513.

In Pub. Arch. D.

3. *William.*

4. *George*; both killed at Flodden.

1. *Christian*, said to have been married to William, Earl of Errol, but this marriage is not satisfactorily documented.

2. *Elisabeth*, married to Arthur, fifth Lord Forbes, without issue by him, who died before 1496.

3. *Margaret*, married, contract dated 1495, to James Rind of Broxmouth.

VI. JOHN, fourth Lord GLAMIS, the eldest son, had a charter of the barony of Baky, in Forfarshire, to John Lyon, son and heir apparent of John, Lord Glamis, and Elisabeth Gray, his wife, dated 2d August 1488, and another of the same 4th July 1489. He died in 1500, having married, in 1487, Elisabeth, eldest daughter of Andrew, third Lord Gray, (who married, secondly, Alexander, third Earl of Huntly; thirdly, George, fourth Earl of Rothes,) by whom he had three sons,

Mag. Sig. L. xii. No. 13, 61. See Rec. Parl. 426.

Strathmore.

1. *George*, fifth Lord Glamis.

2. *John*, sixth Lord Glamis.

3. *Alexander.*

VII. GEORGE, fifth Lord GLAMIS, the eldest son, succeeded his father; had a charter to George, Lord Glamis, of Balnawis, and part of Kinnell in Forfarshire, 31st October 1501, from Thomas, Lord Fraser of Lovat; and died in his minority 1505. His brother,

Mag. Sig. L. xiii. No. 430.

VII. JOHN, sixth Lord GLAMIS, had a charter to John, Lord Glamis, and Janet Douglas, his wife, of the lands of Baky in Forfarshire, 12th December 1527, and died 8th August 1528, in his 37th year. He married Janet Douglas, second daughter of George, Master of Angus, sister of Archibald, sixth Earl of Angus. She married, secondly, Archibald Campbell of Kepneith. This lady, her husband, her son Lord Glamis, John Lyon his relation, and an old priest, were indicted for designs against the life of James V. by poison, or witchcraft, with the intention of restoring the house of Angus. Lady Glamis was condemned to the flames, the savage punishment of the imaginary crime of witchcraft, and suffered her fate on the Castlehill of Edinburgh, Tuesday 17th July 1537, amidst a crowd of spectators, who ceased not to admire her mature, yet youthful elegance of form, and the masculine firmness of her mind. Her husband, Campbell, endeavouring to escape from the castle, was dashed to pieces on the rocks which form the base of that sublime edifice. By Lord Glamis, that unfortunate lady had a daughter *Elisabeth*, married to Ross of Craigy, for which a charter of 1529 is quoted in the first edition, and a son,

L. xxii. No. 43.

Pinkerton, II. 347.

In Pub. Arch. D.

VIII. JOHN, seventh Lord GLAMIS, who being under age, was placed under the care of his uncle Alexander. He was tried for treason, and convicted 10th July 1537, of being art and part of the concealing and not revealing of the conspiring and imagination in the destruction of King James V. by poison, imagined and conspired by Janet

Rec. Parl. 654.

Strathmore. Crawf. Peer. 469.

Lady Glamis, his mother, to the which he consented, and was art and part with her. He was sentenced to be executed; the sentence was suspended till he should come of age, till which time he was ordered to be confined in prison; and his estates were forfeited. The accuser, one Lyon, touched with remorse, avowed his accusation to be false; Lord Glamis was released, but his estates were annexed to the crown, by act of Parliament of 3d December 1540. He instituted a summons of reduction of his forfeiture, in January 1542-3; it was rescinded, and he was restored to his estates and honours by Parliament, 15th March following. He had charters of the lands of Bethelvie, Collestoun, Auchleuchries, &c. in Aberdeenshire, to him, and Janet Keith his wife, 6th February 1543-4, and of the barony of Kinghorn, forfeited by Sir James Kirkaldy of Grange, knight, 12th September 1548, and died in 1558. He married Janet Keith, sister of William, fourth Earl Marischal, by whom he had issue,

Pinkerton, I. 347.

Rec. Parl. 654.

Mag. Sig. L. xxx. No. 13, 179.

1. *John*, eighth Lord Glamis.

2. Hon. Sir *Thomas* Lyon of Auldbar, designed master of Glamis, as presumptive heir of the title. He had charters to Thomas Lyon, brother of John Lord Glamis, of Scragesfield, 18th September 1571, of the dominical lands of Balumbie; also the lands of Gogar, and Grugar, in the counties of Edinburgh and Air, to Thomas Lyon of Baldouky, Master of Glamis, and Agnes Gray, Lady Home, his wife, 20th June 1579; of the barony of Melgound, &c. in Forfarshire, to them 6th May 1580. He was one of the principal agents in the seizure of the person of King James VI. at the raid of Ruthven, 23d August 1582. The King going towards the door, was stopped by the Master of Glamis, and bursting into tears, Glamis said, "No matter, "better children weep than bearded men." When the king recovered his liberty next year, the Master of Glamis retired into England, and was forfeited 2d March 1684. He returned to Scotland in May the same year, and, with the Earls of Angus and Marr, seized on the castle of Stirling, but was soon obliged to fly to England. He and the other banished lords returning in 1585, with a great force, compelled Stewart, Earl of Arran, to quit the royal presence, and they were received into favour by James, who was pleased to appoint the Master of Glamis captain of his guards, in place of Arran, and high treasurer of Scotland. He was constituted an extraordinary lord of session, 9th February 1585, held it till 6th November 1591, was again appointed 8th March 1592, constituted an ordinary lord of session, 28th March 1593, and sat till 28th May same year. He had charters of Tulloch and Crawquhy, in Forfarshire, 9th August 1587, to Thomas Lyon of Baldoukie, his Majesty's treasurer, Master of Glamis; of Corstoun, 9th August 1587; and of the barony of Dod in Forfarshire, to him and Eufamia Douglas, his wife, 7th November 1587; and he was knighted at the coronation of James and Queen Anne, 27th May 1590. He held the office of treasurer till 1595; had another charter of the barony of Dod, to Thomas Lyon of Auldbar, knight, and Euphemia Douglas his wife, 6th April 1594; and at his death King James VI. said, "that the boldest "and hardiest man in his dominions was "dead*." He married, first, Agnes, third daughter of Patrick, fifth Lord Gray, relict of Sir Robert Logan, of Restalrig, and Alexander, fifth Lord *Home*; secondly, Lady Eufamia Douglas, fourth daughter of William, Earl of Morton. He had a daughter, Mary, married to Robert Sempill of Beltrees, and a son, John Lyon of Auldbar, who was served heir of Sir Thomas Lyon of Auldbar, knight, his father, in the barony of Melgund, lands of Auldbar, &c. 6th August 1608; he married a daughter of George Gladstones, archbishop of St Andrews, but dying without issue, his estates went to the Earl of Kinghorn.

Strathmore. Crawf. Off. St. 392.

Hailes's Catal.

Mag. Sig. L. xxxvi. No. 434, 444, 447. L. xl. No. 194.

Inq. Ret. iv. 224.

Daughter, Hon. *Margaret* Lyon, married, first, to Gilbert, fourth Earl of Cassillis, secondly, to John, first Marquis of Hamilton, and had issue by both.

VIII. JOHN, eighth Lord GLAMIS, the eldest son, made an entail of his estates of Glamis, Tannadyce, and Baky in Forfarshire, Cullace, Buttergask, Langforgund, and Inchture, in Perthshire, Belhelvie, Ardendracht, Collistoun, Constertoun, and

Mag. Sig. L. xxxi. No. 525. L. xxxii. No. 65.

* Thomas Lyon, Master of Glamis, had a son Alexander, baptized 23d July 1595. Edin. Register.

Drumgowan in Aberdeenshire; on himself and the heirs male of his body, Thomas his brother, John Lyon of Haltoun of Esse, James Lyon of Easter Ogill, John Lyon of Culmalogy, and the heirs male of their bodies respectively, which failing, to his own nearest heirs male whatsoever, bearing the name and arms of Lyon, by charter dated 28th April 1567. He had a charter of the barony of Baky, to himself, and Elisabeth Abernethy his wife, 2d July 1569. He was sworn a privy councillor, was constituted an extraordinary lord of session 30th September 1570, held it till 24th October 1573, and was in 1575 promoted to the office of high chancellor of Scotland. He was deputed to signify to the Earl of Morton, regent of Scotland, at Dalkeith, in March 1578, that the King had resolved to take the administration of affairs into his own hands; and he was killed at Stirling, in an accidental encounter betwixt his followers, and those of the Earl of Crawford, on the 17th of the same month. He was reckoned the ablest and most moderate man of his party, and corresponded with Theodore Beza on the subject of church polity; he carried himself with no small commendation in his place, and acquired a great authority. He married Elisabeth Abernethy, only daughter of Alexander, sixth Lord Salton, and by her had a son,

Crawf. Off. St. 130.

Patrick, ninth Lord Glamis; and two daughters.

1. Hon. *Jean* Lyon, married, first, to Robert Douglas, younger of Lochleven, and was mother of William, Earl of Morton; secondly, in 1586, to Archibald, eighth Earl of Angus; thirdly, to Alexander, Lord Spynie*.

2. Hon. *Elisabeth* Lyon, married to Patrick, seventh Lord Gray, without issue.

IX. PATRICK, ninth Lord GLAMIS, the only son, being under age at his father's death, was placed under the tuition of his uncle, Sir Thomas Lyon, high treasurer of Scotland. He was served heir in general of John, Lord Glamis, his grandfather,

Inq. Ret. ii. 18.

* Barbara Napier was, on the 8th May 1591, convicted, for consulting with Agnes Simpson, a notorious witch, to give help to Dame Jean Lyon, Lady Angus, and was worried at a stake, and burned to ashes. MS. Justiciary Records.

29th January 1600, and had a remission under the great seal, dated 15th September 1601, to him and five of his servants, for the slaughter of Patrick Johnstoun in Haltoun, of Belhelvie, committed in the church-yard of Belhelvie, on the 6th of the same month. He had charters of Ardecrok in Forfarshire, 8th August 1605, and of Kingseat in Aberdeenshire, 17th June 1606. He was sworn a privy councillor of James VI., chosen by Parliament one of the commissioners to treat of an union with England, 1604, and raised to the dignity of Earl of Kinghorn, Lord Lyon, and Glamis, by patent dated 10th July 1606. He had charters of Wester Drynie in Forfarshire, to Patrick, Earl of Kinghorn, and *Anna Murray, his wife*, and James their second son, 20th May 1608; of the isle of Inchkeith, and right of patronage of Kinghorn, 10th June 1609; of the barony of Tannadice, 13th July 1610; of the dominical lands of Huntly, Longforgund, &c. 17th July 1613, and died 19th December 1615. His Lordship married Lady Anne Murray, eldest daughter of John, first Earl of Tullibardine, and by her had issue,

Strathmore.

Mag. Sig. L. xliii. No. 175. L. xliv. N. 221, 244.

L. xlv. No. 223, 349. L. xlvi. No. 346. L. xlvii. No. 123, 124, 125.

1, *John*, second Earl of Kinghorn.

2. Hon. *James* Lyon, who obtained from his father the lands of Auldbar; but dying without issue, they returned to the family, as Anne Murray, Countess of Kinghorn, and John, Earl of Kinghorn, her son, had a charter of the barony of Auldbar, 8th August 1617.

Mag. Sig. L. xlviii. No. 268.

3. Hon. *Frederick* Lyon, who got from his father the lands of Brigton, of which he had a charter 31st July 1622, and was ancestor of the Lyons of Brigton.

Mag. Sig. L. l. No. 107.

Daughter, Lady *Anne*, married to William, ninth Earl of Errol, and had issue, and died in 1637.

X. JOHN, second Earl of KINGHORN, the eldest son, was served heir of Patrick, Earl of Kinghorn, Lord Lyon and Glamis, his father, in the lands of the thanage of Glamis, the lands, barony, and thanage of Tannades, and other lands in the counties of Aberdeen, Fife, Forfar, and Perth, and of John, Lord Glamis, his grandfather, 30th April 1617. He had a charter of Drumis in Forfarshire, 11th June 1617, and several other charters; was served heir of

Inq. Ret. vii. 16, 20.

Mag. Sig. L. xlviii. No. 2[illegible]

Strathmore.

John, Lord Glamis, his great grandfather's father, in the lands and barony of Kinghorn, 6th June 1628, and 24th May 1633, and heir male by reason of conquest of James Lyon of Auldbar, his immediate younger brother-german, in the barony of Auldbar, and other lands, 6th May 1642, was constituted a privy councillor by the Parliament 1641, appointed one of the committee of estates, 1644, opposed the delivering up of the king to the English, 16th January 1647, and died 12th May same year. His Lordship married, first, Lady Margaret Erskine, third daughter of John, Earl of Marr, high treasurer of Scotland, and by her, who died 7th November 1640, had several children, who all died young; secondly, Lady Elisabeth Maule, only daughter of Patrick, first Earl of Panmure, and by her, who married, secondly, 30th July 1650, George, third Earl of Linlithgow, had a son,

Inq. Ret. x. 123. xiii. 95. xvi. 303.

Rescinded Acts.

Guthrie, 237.

Patrick, third Earl of Kinghorn; and a daughter,

Lady *Elisabeth*, married to Charles, first Earl of Aboyne, and had issue.

XI. PATRICK, third Earl of KINGHORN, the only son, was served heir male of John, Earl of Kinghorn, his father, in his extensive possessions in the counties of Aberdeen, Banff, Fife, Forfar, Kinross, and Perth, 15th June 1648, had a fine of L. 1000 imposed on him by Cromwell's act of grace, and pardon, 1654, was a privy councillor, and one of the lords of the treasury, in the reign of Charles II. and appointed an extraordinary lord of session, 26th March 1686. He obtained a charter of the title and dignity of Earl of Kinghorn, Lord Lyon and Glamis, and the lands of the earldom, to him and the heirs male of his body, which failing, alicui personæ seu aliquibus personis aliquo tempore durante vita sua, etiam in articulo mortis, hæredes talliæ honori titulo dignitati prædiisque suis nominare et designare sibi placuerit; and failing of such heirs, or of such nomination, to his heirs male whatsoever, which failing to his heirs and assigns whatsoever, with the former precedency, dated 30th May 1672. He obtained another charter dated 1st July 1677, declaring and ordaining that Patrick, Earl of Kinghorn, ejusque hæredes masculi et talliæ sibi succeden. in ejus terris prædiis et statu, should be designed in all future ages, Earls of Strathmore and Kinghorn; and a decreet of precedency in favour of the Earl of Strathmore, passed in the first Parliament of James VII. After the revolution, he retired to the country, passed the remainder of his days in making improvements on his seats of Glamis and Castle Huntly, to which last he gave the name of Castle Lyon, and died on the 15th May 1695.

Inq. Ret. xix. 273.

Strathmore.

His Lordship was married, 23d August 1662, at the Abbey of Holyroodhouse, to Lady Helen Middleton, second daughter of John, Earl of Middleton, then his Majesty's high commissioner for Scotland, the ceremony being performed by Archbishop Sharp. They had issue,

Lamont's Annals, MS.

1. *John*, fourth Earl.

2. Hon. *Patrick* Lyon of Auchterhouse, who engaged in the rebellion 1715, and was killed at the battle of Sheriffmuir, 13th November that year, without surviving issue,

1. Lady *Grisel*, married to David, third Earl of Airly, and had issue,

2. Lady *Elisabeth*, married, first, to Charles, second Earl of Aboyne; secondly, to Patrick, *third* Lord Kinnaird; thirdly, to Captain Alexander Grant, of Grantsfield; died in January 1739, and was mother of the third Earl of Aboyne, and the fourth Lord Kinnaird.

XII. JOHN, fourth Earl of STRATHMORE and KINGHORN, the eldest son, was on the 29th of October 1695, served heir of Patrick, Earl of Strathmore and Kinghorn, Viscount Lyon, Lord Glamis, Tannadyce, Sydlaw, and Stradichtie, his father, in his extensive possessions in the counties of Aberdeen, Banff, Fife, Forfar, Kincardine, and Perth. He took the oaths and his seat in Parliament, 12th September 1696; was a privy councillor to Queen Anne. A contemporary said of him, "Is "well bred and good-natured, hath not yet "endeavoured to get into the administra-"tion, being no friend to presbytery. He "hath two of the finest seats in Scotland, "Glamis, and Castle Lyon; is tall, fair, and "towards fifty years old." He opposed the treaty of union in Parliament, and died 10th May 1712.

Inq. Ret. xiv. 219, 282

Macky, 246.

Strathmore.

He married Lady Elisabeth Stanhope, only surviving child of Philip, second Earl of Chesterfield, by his second wife Lady Elisabeth Butler, daughter of James, Duke of Ormond, and by her, who was born in 1663, had issue,

1. *Patrick*, Lord Glamis, who died in his 17th year, unmarried.
2. *Philip*, Lord Glamis, who died in his 19th year, unmarried.
3. *John*, fifth Earl of Strathmore.
4. *Charles*, sixth Earl of Strathmore.
5. *James*, seventh Earl of Strathmore.
6. *Thomas*, eighth Earl of Strathmore.

1. Lady *Helen*, married to Robert, seventh Lord Blantyre, without surviving issue.

2. Lady *Mary*, who died, unmarried, at Glamis Castle, 26th May 1780, in her 85th year.

XIII. JOHN, fifth Earl of STRATHMORE and KINGHORN, succeeded his father 1712; engaged in the rebellion 1715; was with the forces under General Macintosh, who crossed the Frith of Forth from Fife to East Lothian, 12th October that year. The vessel his Lordship was in being pursued by the boats from the men of war in Leith Roads, could not effectuate a landing, but put into the Isle of May, from whence, after two or three days stay, the Earl of Strathmore got over to Crail, joined the Earl of Marr at Perth about the 21st of October, and was killed at the battle of Sheriffmuir, 13th November 1715, unmarried.

XIII. CHARLES, sixth Earl of STRATHMORE and KINGHORN, succeeded his brother 1715, and died 11th May 1728. He came to Forfar on Thursday, 9th May, to attend the funeral of a young lady, and after dinner went to a tavern there with James Carnegy of Finhaven, John Lyon of Brigton, and others. Lord Strathmore and Finhaven then paying a visit to Lady Auchterhouse, Finhaven's sister, Brigton followed them, and behaved rudely to the lady and her brother. Lord Strathmore thereupon left the house and came into the street, it being then betwixt eight and nine o'clock in the evening. Finhaven and Brigton following, some words passed betwixt them, when Brigton pushed Finhaven into a kennel, two feet deep, from which a servant of Lord Strathmore assisted him to get out. Finhaven immediately drew his sword and pursued Brigton with a staggering pace. Brigton run towards Lord Strathmore, whose back was to him, and endeavoured to draw his Lordship's sword, Finhaven coming up made a pass at Brigton, but Lord Strathmore turning hastily about, and pushing off Brigton, threw himself in the way of Finhaven's sword, which run through his body, and his Lordship died in consequence of that wound, on Saturday, 11th May 1728, at ten o'clock at night. Finhaven was brought to his trial, for the murder of his Lordship, before the Court of Justiciary at Edinburgh, 2d August 1728, and was acquitted through the superior ability and firmness of his counsel, Robert Dundas of Arniston, who told the jury that they were judges of law as well as of fact, thereby establishing that important constitutional point. His Lordship married, in 1725, Lady Susan Cochrane, second of the three beautiful daughters of John, fourth Earl of Dundonald, sister of Anne, Duchess of Hamilton, and Catharine, Countess of Dundonald, but had no issue by her, who married, secondly, at Castle Lyon, 2d April 1745, Mr George Forbes, her factor, and master of the horse to the Chevalier de St George; they had a daughter, Susan Janet Emilia Forbes, born in Holland, 17th May 1746. Lady Strathmore made profession of the Roman Catholic faith, and died at Paris, 24th June 1754.

XIII. JAMES, seventh Earl of STRATHMORE and KINGHORN, succeeded his brother 1728, had a company in Barrel's foot, August 1732, and died 14th January 1735. He married, 6th March 1731, Mary, daughter of Charles Oliphant, M. D. Member of Parliament for Ayr, &c. from 1710 till his death in 1719, but by her, who was born 6th August 1701, and died at Glamis Castle, 7th September 1731, in her 31st year, had no issue. His brother,

XIII. THOMAS, eighth Earl of STRATHMORE and KINGHORN, inherited the title 1735, exhibiting the uncommon instance of six brothers successively succeeding to each other. He was chosen Member of

 Parliament for the county of Forfar, at the general election 1734, and died at Glamis Castle, 18th January 1753 *. His Lordship married, at Houghton le Spring, 28th July 1736, Jean, daughter and heiress of James Nicolson of West Rainton, in the county of Durham, and by her, who died at Hetton, 13th May 1778, had issue,

1. *John*, ninth Earl of Strathmore.

2. Hon. *James Philip* Lyon, born 1738, who went into the service of the East India Company, was taken at Cossimbazar by Mir Cossim, Nabob of Bengal, and murdered at Patna by orders of the Nabob, with several other British gentlemen, in February 1763, in his 25th year, unmarried.

3. Hon. *Thomas* Lyon of Hetton, in the county of Durham, born about 1741, Member of Parliament for the boroughs of Aberdeen, &c. from 1768 to 1780, and died at Binchester, 13th September 1796, æta. 55. He married, 13th June 1774, Miss Wren, daughter of Farrer Wren of Binchester, in the county of Durham; they had three sons and four daughters; the eldest son died September 1794, the eldest daughter married, 1st January 1799, Thomas Wilkinson, Esq. son of Jacob Wilkinson of Bedford Row, London; the third daughter, married, in June 1811, Thomas Thurlow, Esq. brother of Lord Thurlow; the fourth daughter, Charlotte, married, 20th November 1809, Henry George Liddell of Ravensworth Castle.

1. Lady *Susan*, married at Houghton le Spring, 5th September 1763, to General John Lambton of Harraton Hall, in the county of Durham, and died at Nice, 26th February 1769, leaving two sons, William Henry Lambton of Lambton, M. P. and Ralph, and two daughters, the eldest married to John Hall Wharton of Skelton Castle, M. P. for Beverley.

2. Lady *Anne*, married at Houghton le Spring, 15th July 1768, to John Simpson of Bradley, in the county of Durham, who died 1773, her youngest daughter, Maria Susanna, was married, 27th April 1796, to Sir Thomas Henry Liddell of Ravensworth Castle, baronet.

3. Lady *Mary*, who died, unmarried, at Hetton, 22d May 1767, æta. 18.

4. Lady *Jane*.

XIV. JOHN, ninth Earl of STRATHMORE and KINGHORN, the eldest son, born 1737, succeeded his father 1753, and completed his education by foreign travel, in the course of which he visited Spain and Portugal *. He obtained, in 1767, an act of parliament "to enable John Bowes, Earl "of Strathmore and Kinghorne, and Mary "Eleanor Bowes, Countess of Strathmore "and Kinghorne, his wife, the daughter "and only child of George Bowes, Esq. "deceased, to take and use the name of "Bowes only, pursuant to the will and "settlement executed previous to the marriage of the said Earl and Countess." His Lordship was elected one of the sixteen representatives of the Scotish peerage on a vacancy, 1st October 1767, rechosen at the general election 1768 and 1774, and died at sea, on his passage to Lisbon to attempt the recovery of his health, 7th March 1776, in the 39th year of his age.

His Lordship married, 24th February 1767, Mary Eleanor, born 24th February 1749, only child and heiress of the extensive and valuable property of George Bowes of Streatlam Castle and Gibside, in the county of Durham, (which he represented in parliament from 1727 till his death in September 1760,) by Mary his second wife, only daughter of Edward Gilbert of Paul's Walden in Hertfordshire, who died at Paul's Walden, 23d January 1781. The Countess of Strathmore married, secondly, 17th January 1777, Andrew Robinson Stoney of Coldpig Hill, in the county of Durham, who took the name of Bowes, and was chosen Member of Parliament for Newcastle-upon-Tyne at the general election 1780. She died at Christ Church in Hampshire, 28th April 1800, in her 52d year, and was buried in Westminster Abbey, attired in a superb bridal dress; and a monument is there erected, thus inscribed, "To the memory

* Under the act abolishing heritable jurisdictions, 1747, he got for the constabulary of Forfar L. 600, in full of his claim of L. 2500.

* Monthly Magazine August 1806, in which is incidentally mentioned, "the Earl of Strathmore and "Mr Pitt's observations on Spain and Portugal, "1760."

Strathmore. "of Mary Eleanor Bowes, Countess of "Strathmore, only child of George Bowes, "Esq. of Streatlam Castle and of Gibside, "in the county of Durham, who died "28th April 1800, aged 51 years." The Earl and Countess of Strathmore had issue,

1. *John*, tenth Earl of Strathmore.

2. Hon. *George* Bowes of Paul's Walden, in Hertfordshire, born 17th November 1771, on whom his grandmother Mrs Bowes settled a considerable fortune, with remainder to his first and other sons, and failing him, without heirs male, to his brother Thomas, with remainder to his sons. He died at Paul's Walden, 26th December 1806, æta. 36, without issue by his wife Mary, daughter of Edward Thornhill of Kingston Lisle, in Berkshire, to whom he was married 14th June 1805.

3. Hon. *Thomas* Bowes of Paul's Walden, born 3d May 1773, high sheriff of the county of Leicester 1810; his wife, Mary Elisabeth, died at Caldecote Hall, 1st June 1811.

1. Lady *Mary*, born 22d April 1768, married at Hallgarth, in the county of Durham, 11th May 1789, to Colonel Barrington Price of Becket, in the county of Gloucester, and died at Cerney in that county, on her birth-day, 22d April 1806, aged 38, after an illness of two hours.

2. Lady *Anna Maria*, married at London, 28th January 1788, to Henry James Jessop of Fludyer Street.

XV. JOHN, tenth Earl of STRATHMORE and KINGHORN, the eldest son, born 14th April 1769, succeeded his father 1776; had a cornet's commission in the royal regiment of horse-guards blue, 1786, and a company in the 65th foot 1789, but soon afterwards quitted the army. His Lordship was chosen one of the sixteen representatives of the Scotish peerage at the general elections 1796, 1802, and 1807.

Strathmore. TITLES.—John Lyon Bowes, Earl of Strathmore and Kinghorn, Viscount Lyon, Lord Glamis, Tannadyce, Sydlaw, and Stradichtie.

CREATIONS.—Lord Glamis, 1445. This title was the third on the list of barons in the decreet of ranking of the nobility of Scotland 1606, Lord Lindesay of the Byres and Lord Forbes only being placed before Lord Glamis. Earl of Kinghorn, Lord Lyon, and Glamis, 10th July 1606. New charter of the earldom, 30th May 1672, to Patrick, third Earl of Kinghorn, and the heirs male of his body, which failing, to any person or persons nominated by him; and failing of such heirs, or of such nomination, to his heirs male whatsoever; which failing, to his heirs and assigns whatsoever, with the former precedency. Charter, 1st July 1677, bearing, that Patrick, third Earl of Kinghorn, ejusque hæredes masculi et talliæ sibi succeden. in ejus terris præ-diis et statu, should be designed, in all future ages, Earls of Strathmore and Kinghorn, Viscounts Lyon, Lords Glamis, Tannadyce, Sydlaw, and Stradichtie.

ARMS.—Argent, a lion rampant, azure, armed and langued, within a double tressure, flowered and counterflowered, gules.

CREST.—A lady to the girdle, holding in her right hand the royal thistle, inclosed in a circle of laurel, proper, in allusion to the alliance of Sir John Lyon with Jean, daughter of King Robert II.

SUPPORTERS.—Dexter, an unicorn, argent, armed, maned, and unguled, Or. Sinister, a lion rampant, gules.

MOTTO.—*In te Domine speravi.*

CHIEF SEATS.—Glamis Castle, in the county of Forfar. Streatlam Castle, and Gibside, in the county of Durham.

SUTHERLAND, EARL OF SUTHERLAND.

Sutherland.

IT is now our province to treat of this celebrated peerage, the most antient subsisting title in Britain, which has continued without alteration, in the lineal course of succession, for near six centuries. While almost all the other antient titles have been changed in their destinations by resignations and new patents, this earldom has remained unaltered, and been transmitted, through twenty generations, in the legal order of descent, to the present estimable possessor.

See Vol. I. p. 217.

I. FRESKIN, a personage of Flemish extraction, came into Scotland during the reign of King David I., and obtained, from Caledonia, I. 604. that munificent prince, the lands of Strathbrock, in the county of Linlithgow. Soon after the insurrection of the Moray men in 1130, Freskin, who probably contributed, by his skill and bravery, to the subduement of these antient people, acquired, from the bounty of the same sovereign, some of the most fertile districts in the lowlands of Moray, namely, Duffus, Rosile, Inshkeil, Kintrae, Machir, and others, and built a fortress at Duffus, the massy ruins of which are still remarkable. He left two sons,

1. *William.*

Ibid. 2. *Hugh*, who witnessed, before 1152, a charter of Robert, Bishop of St Andrews, to Herbert, Bishop of Glasgow.

II. WILLIAM, the eldest son of Fres- Nisb. Her. II. 183. kin, obtained from King William I., betwixt 1168 and 1171, a charter of the lands of Strathbrock, Duffus, Rosile, Inshkeil, Kintrae, and Machir, which his father Freskin had held under David I. He acquired other lands in Moray from the bi- Caledonia, I. 605. shop of that see, in 1190. He flourished under Malcolm IV., and was a constant attendant on William I. during his frequent expeditions into Moray, when he witnessed several of his grants, and perambulated some lands under his authority. He died towards the end of the twelfth century, leaving two sons,

Sutherland.

1. *Hugh.*

2. *William*, who appears often with his father, William, and his brother Hugh, as Caledonia, I. 608. witness to the grants of King William I., and was ancestor of the Morays of Bothwell, Abercairny, and several other families of that name.

III. HUGH FRESKIN, the eldest son, acquired the territory of Sutherland (that Ibid. I. 605. is, Southerland as lying south of Caithness,) forfeited by the Earl of Caithness, when he rebelled in 1197, which rebellion Hugh Freskin assisted to suppress. He made a grant, Magistro Gilberto Archi- Suth. Add. Case, 8. diacono Moraviæ, et illis hæredibus de parentela sua quibus ipse dare et concedere voluit, et hæredibus eorum, totam terram meam de Scelbol in Sutherlandia, &c. tenend. et habend. sibi et hæredibus suis prænominatis in perpetuum, de me et hæredibus nostris. The original grant in the possession of the Countess of Sutherland, was produced in support of her Ladyship's claim. It was confirmed by William, Dominus de Sutherlandia, filius et hæres quondam Hugonis Freskyn; and both the grant and the confirmation were ratified by William I., betwixt 1211, when William de Bosco, chancellor of Scotland, one of the witnesses, was appointed to that high office, and 1214, when the King died. Lord Hailes says, that the grant of Hugh Freskyn to Archdeacon Gilbert, was made betwixt 1186 and 1214; but the chartulary of Moray evinces that Robert was archdeacon of Moray till 1203, when Gilbert became archdeacon in his place, and consequently the grant must have been made in some Caledonia, I. 605. subsequent year. Hugh Freskyn died in 1204, leaving two sons,

1. *William.*

2. *Walter* de Moravia, whose son, Freskin de Moravia, died before 1268, leaving two daughters, Mary, married to Regi-

Sutherland.

nald de Cheyne, and Christian, the wife of William de Federeth.

Suth. Add. Case, 9.

IV. WILLIAM, the eldest son, under the stile of Willielmus, Dominus de Sutherlandia, confirmed his father's grant to Archdeacon Gilbert. An indenture was executed 10 kalend. Octobris 1275, betwixt Archibald, Bishop of Caithness, and William, Earl of Sutherland, by which it appears, that there had been controversies, inter Gilbertum, Willielmum, and Walterum, bonæ memoriæ, episcopos Cathaniæ, et nobiles viros, Willielmum, claræ memoriæ, et Willielmum, ejus filium, Comites Sutherlandiæ. Gilbert, Bishop of Caithness, mentioned in this indenture, was the same Gilbert, Archdeacon of Moray, already specified, who was consecrated Bishop of Caithness, in 1222, and died in 1245; it is therefore clear, that there existed a William, Earl of Sutherland, betwixt 1222, and 1245. In all probability, he was the same person with Willielmus Dominus de Sutherlandia, the son and heir of Hugh Freskyn, who confirmed the grant to Archdeacon Gilbert, before 1214. It is conjecturCaledonia, I. 606.ed by the indefatigable Chalmers, that the Freskins contributed their assistance in crushing the rebellion of Gillespoc, in the north, in 1228, and that it was on this occasion that the gratitude, as well as the policy of King Alexander II. raised William the son of Freskyn, to the dignity of Earl of Sutherland, in order to balance the power, and overawe the turbulence of the Earl of Caithness. This William, Earl of Sutherland, a goodly and valiant peer, died, according to the family historian, at Dunrobin, in 1248, when he was succeeded by his infant son,

V. WILLIAM, second Earl of SUTHERLAND, who, on the 22d of September 1275, entered into the indenture, already recited, with Archibald, Bishop of Caithness, which proves that he was the son of William, first Earl of Sutherland. He was one of the Scotish nobles who attended the Parliament of King Alexander III, at Scone, 5th Fœdera, II. 266, 471.February 1283-4, when the succession to the crown of Scotland was settled, in the event of the demise of Alexander; and he sat in the great convention at Brigham, 12th March 1289-90, when the marriage of Margaret, Queen of Scotland, with Prince Edward, was proposed. He swore fealty to Edward I. in 1296, signalized himself, although advanced in years, at the battle of Bannockburn, on the part of King Robert I. in 1314 and subscribed the letter to the Pope, asserting the independence of Scotland, at Aberbrothwick, 6th April 1320. This venerable Earl, having enjoyed the title for seventy-seven years, died in 1325, and was buried in the church of Dornock. His son,

Sutherland.

Prynne, III. 653.

VI. KENNETH, third Earl of SUTHERLAND, fell at the battle of Halidonhill, 19th July 1333, valiantly supporting the cause of King David II. He married a daughter of the Earl of Marr, and had issue. Dalr. Ann. III. 93.

1. *William*, fourth Earl of Sutherland.

2. *Nicolas*, who got from his brother the Earl a grant of the barony of Thorboll, confirmed by King David II. 17th October 1362, ancestor of the Lords Duffus. Reg. Mag. Sig. 25.

Daughter, *Eustach*, married to Gilbert Moray, eldest son of Reynald Moray of Cubin. Hist. Suth. 47.

VII. WILLIAM, fourth Earl of SUTHERLAND, the eldest and worthy son of a most worthy father, made an inroad into England with the Earl of *March*, 1340. Dalr. Ann. II. 217.

He married Margaret, eldest daughter of King Robert I. by his second wife, Elisabeth de Burgo, and full sister of King David II., who erected the earldom of Sutherland into a regality, in favour of Earl William and Margaret his wife, by charter dated 10th November 1345*, bearing quod ipsi, et hæredes inter ipsos legitime procreandi, habeant, teneant, et possideant, de nobis et hæredibus nostris, totum comitatum Sutherlandiæ, in adeo liberam regalitatem in perpetuum, &c. It is said that the Earl Suth. Add. Case, 10.

* In the Sutherland additional case, the date of the charter in a note is 10th October, 10th David II. which answers to 1338; but in the text it is dated 1347. Sir Robert Gordon says, it was dated at Lanark, 17th November 1347, in the 17th year of the King's reign, not adverting that 17th November, 17th David II. answers to 1345; and this is most probably the true date, as David was made prisoner in October 1346, and remained in captivity for several years afterwards.

Sutherland.

was made prisoner at the battle of Durham, 17th October 1346, but there is no certain evidence of the fact; he was one of the commissioners to treat for the release of David II. 1351; and when David was that year permitted to visit his dominions, John, son and heir of the Earl of Sutherland, was one of the hostages for his return, 4th September 1351. William, Earl of Sutherland, was again one of the commissioners to negotiate the release of David, 13th June 1354, also in 1357, and became bound to compel David to perform the conditions personally incumbent on him, 26th September 1357. The Earl of Sutherland went to England, as in Rymer is this entry; 16th August 1357, Item, Johan filz et heir le Counte de Sothirland, est envoie à Londres en la compaigne de son pere, pour demurrer devers le Chanceller; and of the same date, a safe conduct was granted to William, Earl of Sutherland, as one of the three principal men of Scotland, coming to be imprisoned in England, to enforce the observance of the treaty. He did not obtain his full liberty till 20th March 1367, when a safe conduct to Scotland was granted to him, and Johanna his wife, and twenty attendants on horseback.* Charters were granted by King David II. to William, Earl of Sutherland, and Margaret, the king's sister, of the earldom of Sutherland, in ane regalitie; of the barony of Cluny, in Aberdeenshire; of the lands of Dunoter, of Lyncarem, Fetterkairn, Aburbuchnock, and half of Foirmartein and Kintore, of the thanedom, in vic. de Forfar; to William, Earl of Sutherland, and the deceased Margaret Bruce, sister to the king, of the barony of Downy, vic. Forfar, baronies of Kincardine, Aberluthnok, and Fettercardin, vic. Kincardin; half of Formartein, half of the thanedom of Kintore, in vic. de Aberdeen; and to William, Earl of Sutherland, of the barony of Urquhard, in Inverness, which he got in marriage with Margorie, the king's sister. William, Earl of Sutherland had a charter from King David II. granting to him, and the heirs male of his body legitimately procreated or to be procreated, totam illam medietatem thaynagii nostri de Fermartine, quam nunc habet, et quam eidem alias concessimus pro tempore vitæ suæ, dated 30th July 1365. The same monarch, by charter of penult. Februarii 1368-9, granted to Walter de Lesley, knight, feodum et reversionem thanagiorum de Kincardyn, Abirlouthnot et Fethirkern, quorum liberum tenent. in manibus Willielmi Comitis Sutherlandiæ nunc existit.

Fœdera, V. 711, 724, 787. VI. 33.

Robertson's Index, 108.

Fœdera, VI. 35, 36, 43, 47, 108, 553.

Robertson's Index, 32, 39, 49, 63, 65, 66.

Sutherland.

Reg. Mag. Sig. 52, 71.

William, fourth Earl of Sutherland, living in honour and dying with fame, was a man every way worthy of commendation for valour of mind, and ability of body, inferior to none in the kingdom during his time; in counsel so advised, as was fit for a noble commander. By his faith, industry, and pains, he much advanced the service of his country. He was of great courage, and ready to enterprize any thing for the advancement of that he had undertaken. He adorned the house and family of Sutherland, with sundry honourable privileges, in which honour and dignity it doth now flourish among the first of the nobility of this kingdom. He died at Dunrobin, in 1370, having had by Lady Margaret Bruce, daughter of the glorious restorer of the Scotish monarchy, his first wife, who, according to Fordun, post partum statim ex hac luce migravit, two sons,

Hist. Suth. 54.

1. *John*, already mentioned as a hostage for King David II., 4th September 1351. Le filz et heir le Count de Southerland, was one of the hostages proposed for that monarch, 13th July 1354. Johan filz et heir le Counte de Sotherlande, was named in the same capacity, in the treaty of 3d October 1357; went to England with his father the same year, and died of the pestilence, at Lincoln, about Christmas 1361.

Fœdera, V. 724, 792. VI. 35, 47.

Suth. Add. Case, 11.

2. *William*, fifth Earl of Sutherland.

William, fourth Earl of Sutherland, had a second wife, as Johanna, Countess of Sutherland, had a safe conduct to come into England with her husband; another was

Fœdera, VI. 429, 456.

* William, Earl of Sutherland, had permission to go to Scotland for a limited period, 26th October 1358, Fœdera, VI. 108. He had leave to visit Scotland, 23d January 1362. Ib. 349. He returned to England, and remained at York till he got leave to go back to Scotland for a while, 28th April 1362, giving his oath to return. Ib. 362. His leave to remain in Scotland was prolonged, 20th September 1363. Ib. 433. A safe conduct was granted to him and Johanna, Countess of Sutherland, to come into England, 6th December 1363. Ib. 429. He had prolongations of his leave to remain in Scotland, 12th December 1364, and 11th May 1366. Ib. 456, 500.

granted nobili mulieri Johannæ Comitissæ Sutherlandiæ, with ten attendants, 6th December 1364; and she returned to Scotland with her husband, 1367. The historian of the family takes no notice of her.

VIII. WILLIAM, fifth Earl of SUTHERLAND, the only surviving son, is documented by a record of King Edward III. dated 28th January 1367, making it known that he had taken into his protection and defence William de Murrif, son of William Earl of Sutherland of Scotland, who remains in England, and his goods and chattels. This instrument confirms the tradition, that the family of Sutherland were from their original country called de Moravia.* His nearness in blood to King David II. being the son of his full sister, gave rise to a statement made by Buchanan, and others, that David intended him for the heir of the Scotish throne, in preference to the Steward of Scotland, his nephew of the half blood; but no steps appear to have been taken for altering the order of succession settled by King Robert I. and the Parliament of Scotland†. The Earl of Sutherland does not appear among the nobles who attended the coronation of King Robert II., and who swore fealty to that monarch at Scone, 26th March 1371. He is particularly mentioned by Froissart, as being present at the surprise of Berwick by the Scots in November 1384, and in that division of the Scotish army that marched to Carlisle, in 1388, not in the party that proceeded to Otterburn. He died towards the close of the fourteenth century, leaving two sons,

Suth. Add. Case, 11.

Buchanan, lib. 7.

1. *Robert*, sixth Earl of Sutherland.

2. *Kenneth*, who, 22d January 1400-1, obtained from his brother, Robert, Earl of Sutherland, a charter of the lands of Drumney, Backies, and others, to himself and the heirs male of his body, with a clause of return in favour of the Earl and his heirs, upon failure of the issue male of the grantee. This charter was confirmed by Robert Duke of Albany, 10th August 1408. He had also a charter from Mariot Cheyne, Kenetho de Sutherlandia, filio quondam Willielmi Comitis Sutherlandiæ; and a third from Andreas de Keith, 8th August 1418. These documents demonstrate that Robert, Earl of Sutherland, and Kenneth, his brother, were sons of William, Earl of Sutherland. Kenneth was ancestor of George Sutherland of Forse, who, as heir male of the antient Earls, claimed the dignity of Earl of Sutherland, in 1766.

Suth. Add. Case, 12.

IX. ROBERT, sixth Earl of SUTHERLAND, the eldest son, is documented by the before recited charters to his brother Kenneth. He was, as is said, engaged in the battle of Homildon 1402; had many contests with his neighbours the Mackays, in which he came off victorious, and had the happiness, by his prudence and conduct, to preserve his country from faction and invasion. The Earl of Sutherland was sent to England as a hostage for James I. 9th November 1427, in room of the eldest son of the Earl of March. The Earl of Sutherland died at Dunrobin, much regretted by the inhabitants of Sutherland, whom he had defended against oppression, in the year 1442, and was buried in the church of Dornoch. He married Lady Mabilla Dunbar, daughter of John, Earl of Moray, grand-daughter of the heroic Agnes Randolph, Countess of March and Moray, and by her had three sons,

Hist. Suth. 59, 69.

Fœdera, X. 381.

1. *John*, seventh Earl of Sutherland.

2. *Robert*, who married the second daughter and co-heiress of Dunbar of Frendraught, and had a son, John, a very active and comely gentleman, who died without succession.

Hist. Suth. 74.

3. *Alexander*, ancestor of the Sleaght-Kenneth-Wick-Allister.

* Fœdera, VI. 554. Consimiles literas habet Willielmus de Muref, filius prædicti Comitis Sutherlandiæ de Scotia, qui in Anglia moratur, ac res et bona sua quæcunque, per unum annum duraturus, 20th March 1367.

† According to Sir Robert Gordon, King David II. immediately after his release, called a Parliament wherein he disinherited his eldest sister's son, Robert Steward, and caused a statute to be made, whereby his nephew *Alexander* Sutherland, was declared heir apparent of the crown. On that account, Earl William, his father, gave away many lands and possessions to fortify his son's title. He gave the thanedoms of Formartin, Abirlighnok, Kintor, Kincairn, and Fettercairn, the Craig of Dunoter, the lands of Enzie, Boyn, Cluny, Dumbaith, Aboyn, &c. to the Hays, Frasers, Gordons, Sinclairs, Ogilvys, and others. Hist. Suth. 51.

Sutherland. Suth. Add. Case, Pedigree.

X. JOHN, seventh Earl of SUTHERLAND, the eldest son, is documented by a charter granted by him to Alexander Sutherland, 12th July 1444. John, Earl of Sutherland, and Margaret, his wife, had a charter of the lands of Cracock, Loth, and Culbnagour, in the county of Inverness, 29th April 1451. He made a resignation of the earldom in favour of John his son and heir apparent, by instrument executed 22d February 1455-6, and thereupon a royal charter was on the 24th of the same month granted to John Sutherland of the earldom of Sutherland, tenendum illi, et hæredibus suis, reserving the liferent of the same to John, Earl of Sutherland, his father. The Earl died in 1460, and was buried at Golspie.

Mag. Sig. L. iv. No. 202.

Suth. Add. Case, 12.

He married Margaret, daughter of Sir William Baillie of Lamington, in the county of Lanark, a lady of excellent beauty. A dispute happening betwixt her and her son the Earl, he demolished the house and tower of Helmisdale, which she had built during her widowhood. After this she dwelt in Easter Garty, in a solitary and quiet place, beside a chapel erected by her there for her devotion. In the end, perceiving that she could not live in rest and quietness with her son, she married Alexander Dunbar, the brother of Sir James Dunbar of Cumnock, the husband of her daughter. Alexander Dunbar was killed by Alexander Sutherland of Dilred, who was executed and forfeited for the same. The Countess was alive in 1495, as on the 20th October that year, the Lords of Council issued an order in the complaint made by Margaret, Countess of Sutherland, against Sir James of Dunbar, and John Reoch Makky in Straithnavern, for impeding her in the peaceable possession of the lands of Cracok, Loth, Colnagour, &c. pertaining to her in conjunct feftment, and vexing her in the third of her lands of Sextounis, pertaining to her by reason of terce. By her the Earl of Sutherland had issue,

Hist. Suth. 80.

Rec. Parl. 463.

1. *Alexander*, who died before 1455. According to Sir Robert Gordon, he had a daughter, Marjory, married to William Sinclair, Earl of Orkney, of which marriage are descended the Sinclairs, Earl of Caithness. Of the existence of this Alexander, says Lord Hailes, there is no proof, and it has been demonstrated, that Marjory, Countess of Caithness, was daughter of Alexander Sutherland of Dunbeath, from the will and settlement of the said Alexander Sutherland of Dunbeath, in favour of his daughter Marjory, and William Earl of Orkney and Caithness, and the bairns gottin, or to be gottin betwixt them, dated 12th November 1456.

Hist. Suth. 70.

Suth. Add. Case, 12. and vi. 110.

Sutherland.

2. *John*, eighth Earl of Sutherland.

3. *Nicholas*.

4. *Thomas Beg*.

1. Lady *Jane*, married to Sir James Dunbar of Cumnock, and was mother of that eminent prelate, Gawin Dunbar, Bishop of Aberdeen.

2. Lady ——, married to Seton of Meldrum.

XI. JOHN, eighth Earl of SUTHERLAND, the eldest son, had the earldom resigned in his favour by his father, as already mentioned, succeeded to the title 1460, and dying in 1508, was buried at Golspie. He married Lady Margaret Macdonald, eldest daughter of Alexander, Earl of Ross, Lord of the Isles, and by her, who perished crossing the ferry of Unes, had issue,

Hist. Suth. 75.

1. *John*, ninth Earl of Sutherland.

2. *Alexander*, who died young.

Daughter, *Elisabeth*, Countess of Sutherland.

XII. JOHN, ninth Earl of SUTHERLAND, the only surviving son, is documented by an instrument of seisin, 14th December 1512, proceeding on a precept from the Chancery for infefting John Sutherland, as nearest lawful heir of John, Earl of Sutherland, his father. Dying without issue in 1514, the succession devolved on his sister.

Suth. Add. Case, 13.

XII. ELISABETH, Countess of SUTHERLAND, who was served and retoured heir of him in the earldom of Sutherland, 3d October 1514, being then the wife of Adam Gordon of Aboyne, second son of George, second Earl of Huntly, high chancellor of Scotland. In virtue of a precept from the Chancery, dated 24th October 1514, the Countess was infeoffed in the earldom of Sutherland, 30th June 1515. After she had thus completed her right, she constant-

Ibid. 13. 14.

Sutherland. ly bore the title of Countess of Sutherland; and her husband, Adam Gordon, according to the custom of that age, stiled himself Earl of Sutherland, as tenant, by courtesy, of that honour. Elisabeth, Comitissa de Sutherland, et heredetaria Domina comitatus ejusdem, cum consensu et assensu nobilis Domini, Adami Gordon, sui sponsi, Comitis de Sutherland, granted a charter, 5th September 1516, to John, Earl of Caithness. In another charter granted by him and his Countess to William Sutherland of Duffus, 25th March 1525, though he is designed Adam Gordon, Comes de Sutherland, yet the charter is subscribed, Adam Gordon, with my hand at the pen, and Elisabeth Sutherland, Countess of Sutherland, with my hand at the pen.

Elisabeth, Countess and heritrix of Sutherland, with consent of Adam, Earl of Sutherland, her spouse, on the 9th of November 1527, entered into a contract with Alexander their son and apparent heir, purporting that the said Elisabeth, with consent of Adam her spouse, shall make procuratory to resign the earldom of Sutherland in the hands of the King, in favour of the said Alexander and his heirs, reserving the frank tenement (or freehold) of the same to the said Elisabeth and Adam, and the longest liver of them, for all the days of their lives. In terms thereof a procuratory was executed, 10th November 1527, by Elisabeth Sutherland, Countess of Sutherland, and heritable lady of the same, with consent of a noble Lord Adam Gordon, Earl of the said earldom of Sutherland, her spouse, for resigning the earldom. Upon this resignation King James V. on the 1st December 1527, granted a charter of the earldom of Sutherland to Alexander Gordon, son and heir apparent of Adam, Earl of Sutherland, and of Elisabeth Sutherland, Countess of Sutherland, his wife, tenend. et habend. dicto Alexandro Gordon, et hæredibus suis, de nobis, &c. adeo libere, &c. sicut dicta Elisabetha, vel prædecessores sui, Comites de Sutherland, dictum comitatum et terras de nobis tenuerunt, reservato tamen libero tenemento totius dicti comitatus dictæ Elisabethæ, Comitissæ de Sutherland, et Adæ Gordon, sponsæ suæ, ratione curialitatis Scotiæ, et eorum alteri diutius viventi, pro toto tempore vitæ suæ. In the pre- Sutherland.
cise form of this charter, Alexander was infeoffed 20th December 1527. Elisabeth, Countess of Sutherland, a lady of good judgment and great modesty, died in September 1535 in Aboyne, and was buried there. Her husband, Adam, Earl of Sutherland, a very provident, valiant, and wise man, died at Ferrack, in Aboyne, 17th March 1537, and was buried beside the Countess. Their issue were, Hist. Suth. 103.

1. *Alexander*, Master of Sutherland.

2. *John* Gordon, who resided at Til- Ibid. 87, 88.
lichowdie, and had one child, a daughter, married to George Gordon of Cocharachie.

3. *Adam* Gordon, who resided at Ferrack in Aboyne, and was killed at the battle of Pinkie, 10th September 1547, without legitimate issue.

4. *Gilbert* Gordon of Gartay, who married Isobel Sinclair, daughter of the Laird of Dunbeath, and had two sons, John and Patrick, and several daughters. This lady was the contriver of, and principal agent in the murder by poison of John, tenth Earl of Sutherland, of whom her eldest son was heir male, next after his Lordship's son, in July 1567, to be afterwards narrated. Her eldest son calling for a draught to quench his thirst, one of the servants brought the youth a portion of the liquor in which the poison was mixed, which occasioned his death two days afterwards. His mother was carried to Edinburgh, where she was tried and convicted, but died in prison before execution, having, as was supposed, destroyed herself.

The daughters of the Earl and Countess were Lady *Beatrix* Gordon, lady of Gormack; Lady *Eleanor* Gordon, who, after the death of her brother John, had the lands of Tilliquhowdie for her portion, and married George Gordon, brother's son of the laird of Craig-achindore; the lady of Leyes and Birkinbog; and Lady *Elisabeth* Gordon, lady of Lethintie.

XIII. ALEXANDER, Master of SUTHERLAND, the eldest son, was infeoffed in the earldom of Sutherland, as already mentioned, in 1527, and the government of the country was committed to his charge, which he executed with wisdom and manhood,

Sutherland.

and defended the inhabitants courageously against their enemies. While he did thus carefully and manfully govern the affairs of his house, he died at Dunrobin, 15th January 1529, and was buried at Dornoch. He was of singular expectation, and died in the current of his victories and best actions, in the flower of his youth, to the great regret of his countrymen and friends, leaving an impression of his worth on every mind. He married Lady Janet Stewart, a lady of excellent beauty, eldest daughter of John, second Earl of Atholl. She married, secondly, Sir Hugh Kennedy of Girvanmains, they had a charter 15th May 1532; thirdly, Henry, first Lord Methven, they had three charters, 1545, 1547, and 1551; fourthly, in 1557, Patrick, third Lord Ruthven, as is documented by two charters of 9th April 1557, and 10th March 1557-8, and had issue to all these four husbands. Her children by the Master of Sutherland were,

Hist. Suth. 101.

Ibid. 95.

1. *John*, tenth Earl of Sutherland.

Mag. Sig. L. xxxi. No. 122.

2. *Alexander* Gordon, who had a charter of the lands of Kintessock in the county of Elgin, 27th May 1547, wherein he is designed brother of John, Earl of Sutherland. He died in consequence of a fall from his horse at Elgin in 1552.

Hist. Suth. 133.

3. *William*.

Doug. Bar. 121.

1. Lady *Janet*, married to Sir Patrick Dunbar of Cumnock and Westfield, sheriff of Moray, for which a papal dispensation was obtained in 1557.

2. Lady *Beatrix*, married to William Sinclair of Dunbeath.

XIV. JOHN, tenth Earl of SUTHERLAND, the eldest son, born about 1525; began to manage the affairs of his house and family 1545; was served nearest and lawful heir of his father Alexander, 4th May 1546, and took infeoffment upon a precept issued from the chancery, 7th June 1546. By a royal charter, dated 6th August 1546, the eardom of Sutherland was granted to John, Earl of Sutherland, and Lady Elisabeth Campbell, Countess of Moray, his spouse, and the longest liver of them, in conjunct fee, et hæredibus inter ipsos legitime procreatis seu procreandis, quibus deficientibus, legitimis et propinquioribus hæredibus dicti comitis quibuscunque, seu assignatis. Upon this charter infeoffment was taken, 13th October 1546. He was lieutenant of Moray 1547 and 1548, and along with George, Earl of Huntly, was selected to accompany the Queen Regent to France in September 1550, which charge they performed with great honour and magnificence, to their own credit and her good liking. The two Earls were invested with the order of St *Michael* by the King of France; and the Earl of Sutherland accompanied the Queen Regent home, passing through England. He obtained from the Queen Regent the government of the earldom of Ross, by letters patent, dated 6th July 1555; joined the lords of the congregation, was wounded in the arm by the shot of a harquebuss, attacking the French auxiliaries near Kinghorn, 1559, and assisted at the siege of Leith. On a charge of having engaged in the Earl of Huntly's rebellion 1562, John, Earl of Sutherland was forfeited, 28th May 1563, and retired to Flanders, where he behaved himself very honourably and nobly, to his own credit and the honour of the nation. He returned home in 1565; his forfeiture was rescinded by parliament, 19th April 1567, and he died in July following, in his 42d year, his death being occasioned by a melancholy catastrophe. The Earl, and Countess, then in a state of pregnancy, went to Helmisdale Castle, occupied by Isobel Sinclair, wife of Gilbert Gordon of Gartay, his uncle. From a wish to secure the possession of the earldom of Sutherland to her son, who was heir male of the family after the Master of Sutherland, poison was administered to the unsuspecting guests. Alexander, Master of Sutherland, the only son of the Earl, fortunately escaped, in consequence of being detained at a hunting party, so that he came late to Helmisdale Castle. The Earl, perceiving his son making for supper, and feeling himself poisoned, took the tablecloth and threw it along the house, not suffering the Master to take any refreshment; and recommending him to the protection of God and his dearest friends, sent him the same night to Dunrobin, from whence he was conveyed to the castle of Skibo. The Earl and Countess were next morning carried to Dunrobin, where

Sutherland.

Hist. Suth. 131, 134, 138.

Spottiswood, 141.

Rec. Parl. 776.

Hist. Suth. 144.

Rec. Parl. 776.

Suth. Add. Case, 16.

Mag. Sig. L. xxiv. No. 379.

Sutherland.

they died five days afterwards, and were buried at Dornoch. He was endowed with many excellent gifts both of mind and body. He was of a comely stature and proportion, of a fair and good countenance. He was so kind and courteous to all men, so full of mildness and affability, and so well beloved of all good men, that he was recommended to posterity by the name of Good Earl John.

He married, first, Lady Elisabeth Campbell, only daughter of Colin, third Earl of Argyll, relict of James, Earl of Moray, natural son of King James IV., they had a charter, 6th August 1546, but by her he had no issue. The Earl married, secondly, Lady Helen Stewart, daughter of John, third Earl of Lennox, relict of William, fifth Earl of Errol; he granted a charter, 5th April 1548, of the dominical lands of Dunrobin, to Helen Stewart, relict of William, Earl of Errol; she died during her husband's exile in Flanders 1563-1565, having had issue,

1. *John*, who died an infant.

2. *Alexander*, eleventh Earl of Sutherland.

1. Lady *Margaret*, who died unmarried.

2. Lady *Janet*, married, first, to Alexander Innes of Innes, who died 1576, without issue; secondly, to Thomas Gordon, son of George, Earl of Huntly, and dying in January 1584, was buried at Elgin.

3. Lady *Eleanor*, contracted to Robert Monro of Foulis, but died the night preceding the day appointed for her marriage, 1578.

John, Earl of Sutherland, married, thirdly, Marian, eldest daughter of George, fourth Lord Seton, relict of John, fourth Earl of Menteth, but by her, who perished with her husband, while pregnant, in July 1567, had no issue.

XV. ALEXANDER, eleventh Earl of SUTHERLAND, the only surviving son, born at Tarnaway midsummer 1552, narrowly escaped being involved in his father's destruction. He had a charter to Alexander Gordon, son and heir of John, formerly (olim, his father being then under forfeiture,) Earl of Sutherland, of several ecclesiastical lands in Caithness and Sutherland,

Mag. Sig. L. xxxii. No. 331. L. xxxv. No. 661.

from Robert, Bishop of Caithness, his uncle, 15th April 1564. On his father's death in 1567, his ward was granted to his sister Lady Margaret Gordon, who committed it to the care of John, Earl of Atholl. The Earl sold the wardship to George, Earl of Caithness, who carried the Earl of Sutherland to his own country, and married him, while a youth of sixteen, to his daughter Lady Barbara Sinclair, a profligate woman of thirty-two, whom he repudiated when he came of age. He escaped out of the custody of the Earl of Caithness, from whom he was in danger of his life, 1569; and was infeoffed upon a precept from the chancery, dated 27th July 1573, proceeding upon the retour of his service, dated on the 7th of the same month. He resigned the earldom into the King's hands in 1580, for new infeoffment to be granted in favour of John, Master of Sutherland, his eldest son, et hæredum et assignatorum dicti Joannis quorumcunque, reserving his own frank tenement and liferent of the whole earldom. Upon this resignation King James VI. granted a charter, dated 23d March 1580, of the whole earldom of Sutherland, in favour of John, Master of Sutherland, and his heirs and assignees whatsoever, and on this charter infeoffment was taken 11th June 1583. Alexander, Earl of Sutherland, had royal charters of Gauldwell, Cadell, &c. and the office of bailiary of the episcopal lands of Caithness, 23d November 1581; of the baronies of Far, Armadill, &c. 5th July 1583; of Stroakill, Straquharrane, Balnagowan, &c. 3d March 1584; and of the office of sheriff within his county of Sutherland, and his lands within the bounds of Caithness, 19th June 1590. The Earl was an honourable and high-minded man; one that loved much to be well followed; very liberal; an assured performer of his word, when he had once engaged himself, which he left as a hereditary quality to his children; very constant and resolute in the prosecution of his purposes; by nature framed to insinuate himself so into every man's affections, that not only from henceforth they did always remain constantly faithful to him, but also did easily hazard their lives and their fortunes in any extremity of danger for his sake. He was

Sutherland.

Hist. Suth. 150, 154.

Suth. Add. Case, 16.

Mag. Sig. L. xxxv. No. 630, 703. L. xxxvi. No. 10. L. xxxvii. No. 301.

Hist. Suth. 251.

Sutherland.

very upright in all his actions; and succeeded in appeasing the disorders of his country without the effusion of blood.

He died at Dunrobin, 6th December 1594, in the 43d year of his age, and was buried at Dornoch. He married, first, Lady Barbara Sinclair, eldest daughter of George, Earl of Caithness, whom he divorced 1573; secondly, at Strathbogie, 13th December 1573, Lady Jean Gordon, third daughter of George, fourth Earl of Huntly, high chancellor of Scotland. She was first married, 22d February 1565-6, to James, Earl of Bothwell; the marriage was annulled 7th May 1567, on account of a dispensation not having been obtained, in order to make way for his unhallowed nuptials with Queen Mary. The Countess of Bothwell and Sutherland took to her third husband Alexander Ogilvy of Boyne, whom she also survived, and died 14th May 1629, in the 84th year of her age. She was a virtuous and comely lady, judicious, of excellent memory, and of great understanding above the capacity of her sex; in this much to be commended, that during the changes of the court in the reigns of Mary and James VI., she always managed her affairs with so great prudence and foresight, that the enemies of her family never could prevail against her, nor move the chief rulers of the state to do any thing to her prejudice. She enjoyed her jointure out of the earldom of Bothwell till her death. By her great care and diligence she brought to a prosperous end many difficult affairs of great consequence, appertaining to the house of Sutherland. From the weak state of her husband's health and her son's minority, she was in a manner constrained to take upon her the managing of all the affairs of that house, which she did perform with great care, to her own credit and the weal of her family. By the Earl of Sutherland she had issue.

Hist. Suth. 165.

1. *John*, twelfth Earl of Sutherland.

2. Hon. *Alexander* Gordon, who died young.

3. Hon. *Adam* Gordon, who died young.

4. Hon. Sir *Robert* Gordon of Gordonstoun, the historian of the illustrious family from whence he sprung, born 14th May 1580, who was sent to the university of St Andrews in 1598, then to Edinburgh College; set out on his travels to France in the beginning of 1603, and remained in that country till the end of 1605. He was a gentleman of the privy chamber to King James VI. in 1606, had a pension of L. 200 sterling a-year out of the Exchequer of England for life, 1609, and was knighted. On the death of his brother in 1615, he became tutor at law of his nephew John, thirteenth Earl of Sutherland. He visited France in 1620, when he disposed of his property of Longormes, and again went to that country in 1623; was created a baronet of Nova Scotia, being the first of that order, 28th May 1625, when he had a charter of the barony of Gordon, in Nova Scotia, to him and his heirs male and assigns whatsoever; and he died in 1656, in the 76th year of his age, being endowed with notable gifts of mind and body. He married, at London, 16th February 1613, Louisa, born 20th December 1597, only daughter and heir of John Gordon, Lord of Longormes, and Dean of Salisbury, eldest son of Alexander Gordon, titular Archbishop of Athens, Bishop of Galloway, and Abbot of Inchaffray, brother of George, fourth Earl of Huntly*. John Gordon, married, first, in 1576, Antoniette de Marroles, a rich widow, with whom he obtained the lordship of Longormes, secondly, in 1594, Genevieve Betaw, daughter of Gideon Betaw, lord of Maulet, first president of the Parliament of Britany, and by her, who died at Gordonstoun, 6th December 1643, in her 83d year, had an only child, Louisa, Lady Gordon. Sir Robert Gordon had issue by her: 1. John, born 22d January 1615, who died an infant. 2. Sir Ludovick. 3. George, born 12th July 1627, who died unmarried at Dunrobin, 13th October 1650, æta. 24. 4. Robert, born 15th October 1628, who was, 5th December 1674, served heir in general of Charles Gordon, his younger brother-german, and 22d April 1675, heir in special of

Mag. Sig. L. Ji. No. 34.

Inq. Ret. xxxii. 79, 156.

* John Gordon, Lord of Longormes, and Dean of Salisbury, was, on the 6th January 1610, served heir male in special of Laurence Gordon, Lord of Glenluce, his brother-german, in the tenantry of Glenluce, comprehending the manor, place, monastery, and abbey of Glenluce, &c. Inq. Ret. iv. 302.

him in the lands of Pilrossie, in Sutherland. 5. Charles, born 4th September 1632. 1. Elisabeth, born 15th January 1617, died unmarried 7th October 1634, æta. 18. 2. Catherine, born 11th January 1621, married 26th January 1648, to Major David Barclay of Ury, in the county of Kincardine, and was mother of Robert Barclay of Ury, born 23d December 1648, the author of the celebrated Apology for the Quakers. 3. Louisa, born 23d February 1626, died unmarried at Gordonstoun, 13th May 1649, æta. 24. She had overtoiled herself in watching and attending her mother, when dangerously ill two months preceding. 4. Jean, born 3d January 1636, married to Sir Alexander Mackenzie of Coul, baronet, and had issue.

Sir Ludovick Gordon of Gordonstoun, baronet, the eldest surviving son, born 15th October 1624, succeeded his father 1656, and died in 1688, in his 64th year. He married 1st January 1644, Elisabeth, daughter and heiress of Sir Robert Farquhar of Menie, by whom he had issue. 1. Sir Robert. 2. Lewis, whose male line is extinct. 3. John, who died without issue. 4. Benjamin, who died without issue. 1. Lucy, married, first, to Robert Cuming of Altyr, and was great grandmother of Sir Alexander Penrose Cuming Gordon of Altyr and Gordonstoun, baronet, M. P.; secondly, to Alexander Dunbar of Kinloss, and had issue. 2. Catherine, married to Thomas Dunbar of Grange, and had issue. 3. Elisabeth, married to Robert Dunbar of Westfield, sheriff of Moray, and had issue. 4. Anne, died unmarried.

Sir Robert Gordon of Gordonstoun, baronet, the eldest son, born 7th March 1647, a member of the Scotish Parliament, and a correspondent of the Hon. Robert Boyle, died in 1701, æta. 55. He married, first, Margaret, eldest daughter of William, eleventh Lord Forbes, relict of Alexander, first Lord Duffus, by whom he had a daughter, Jean, married to John Forbes of Culloden, without issue; secondly, Elisabeth, only daughter of Sir William Dunbar of Hemprigs, by whom he had seven children. 1. Sir Robert. 2. William, died young. 3. Lewis, died without issue. 1. Margaret, died young. 2. Elisabeth, died young. 3. Lucy, married, 26th November 1716, to David Scot, of Scotstarvet, in Fife, and was grandmother of Henrietta, Duchess of Portland, heir of line of the Gordonstoun family. 4. Catharine, died unmarried.

Sir Robert Gordon of Gordonstoun, baronet, the eldest son, was chosen member of Parliament for the county of Caithness at the general election 1715; engaged in the rebellion that year, but soon quitted the rebels, and placed himself under the protection of the Earl of Sutherland. He claimed the title of Sutherland, as heir male of Earl Adam, in 1766, but his claim was dismissed, and he died in 1772. He married 26th May 1734, Anne, only daughter of Sir William Maxwell of Calderwood, baronet, and by her, who died at Lossiemouth, 11th March 1808, æta 89, had a daughter, Christian, who died young, and four sons, 1. Sir Robert Gordon of Gordonstoun, baronet, who died unmarried, 2d June 1776. 2. Sir William Gordon of Gordonstoun, baronet, who died without legitimate issue, 5th March 1795, aged 56, when his estates devolved, by settlement, on Alexander Penrose Cuming of Altyr, who thereupon assumed the name and arms of Gordon of Gordonstoun, and was created a baronet of Great Britain, 21st May 1804; they were confirmed to him by the House of Lords, after a long and ineffectual litigation on the part of the Duchess of Portland, the heir of line of the family. James Gordon of Letterfury, descended from Sir James Gordon of Letterfury, youngest brother of Adam, Earl of Sutherland, was served heir male of Sir William Gordon, 22d April 1806, and now enjoys the title of premier baronet of Nova Scotia, affording the proof that the whole male descendants of the body of Adam, Earl of Sutherland, have failed. 3. Lewis, who died without issue. 4. John, who died unmarried.

5. Hon. Sir *Alexander* Gordon of Navidale, born 5th March 1585; knighted in 1617, who, in 1631, retired with his lady, children, and family into Ireland, being troubled and hardly put to it for professing the Roman catholic religion. He married, in June 1610, Margaret, daughter of Donald Bane Macleod of Assint, and had issue: 1. Alexander, born 17th December 1614, a captain in the service of Gustavus Adolphus, King of Sweden; he

went with a company of resolute men to Germany in 1637, and was killed at the battle of Edgehill, on the side of King Charles I., 23d October 1642. 2. John, born 17th February 1616, who accompanied his brother to Germany 1637. 3. Robert, born 25th September 1617. 4. Francis, born in November 1623. 5. Patrick, born in 1627. 4. Jane, married in 1631, to Angus Mackay of Bighouse, who died without issue by her, 1634. 2. Elisabeth.

Hist. Suth. 311.

1. Lady *Jean*, born 1st October 1574, married, in December 1589, to Hutcheon Mackay of Far, and died 20th February 1615, æta. 41, leaving, among other children, Donald, first Lord Reay. She was one of the most comely women in the kingdom, and no less modest and religious than beautiful.

Ibid. 252.

2. Lady *Mary*, born 14th August 1582, married to David Ross of Balnagowan, and died without issue at Overskibo, in 1605.

XVI. JOHN, twelfth Earl of SUTHERLAND, the eldest son, born 20th July 1576, had, as already mentioned, a charter of the earldom of Sutherland, 23d March 1580, also another of the barony of Far, 21st May 1588. He succeeded his father in 1594, travelled into France in July 1598, returned home in 1600, and resigned into the hands of King James VI. the earldom of Sutherland, and some lands acquired by him. The King issued a charter of novodamus, dated 29th April 1601, annexing these lands to the earldom, in favour of John, Earl of Sutherland, and his heirs male procreated or to be procreated betwixt him and Lady Anna Elphinston, Countess of Sutherland, his wife; which failing, to the heirs male to be legitimately procreated of his body; which failing, to Robert Gordon his brother-german, and the heirs male to be legitimately procreated of his body; which failing, to Alexander Gordon, also his brother-german, and the heirs male legitimately to be procreated of his body; which failing, to Adam Gordon, legitimate son of George, Marquis of Huntly, and his heirs male whatsoever, hereditarily. Upon this charter infeoffment followed, 3d June 1601. By the same charter the earldom of Sutherland, and barony of Far, were erected into an entire and distinct sheriffdom and jurisdiction of itself, to be called the sheriffdom of Sutherland. In the decreet of the Parliament of Scotland, 5th March 1606, ranking the nobility, the Earl of Sutherland was placed after Angus, Argyll, Crawford, Errol, and Marischal; and in the union roll, the Sutherland title ranks after Crawford, Errol, and Marischal, (the other two having merged in higher dignities,) although it is indisputably of greater antiquity than any of those earldoms. The decreet of ranking 1606, contained a reservation to such persons as should find themselves prejudiced thereby, to have recourse to the ordinary remedy of law, by reduction, before the lords of session, of the decreet, for recovery of their due place and rank, by production of more ancient and authentic writs, summoning all such persons as were wrongously ranked and placed before them. Under this reservation much litigation took place betwixt the Earl of Sutherland, and those ranked before him. The lords of session, 3d January 1667, and 24th November 1671, gave interlocutors respecting the production of evidence relative thereto. The cause was again before them in 1705; the Earl of Sutherland produced the indenture 1275, already recited, betwixt William, Earl of Sutherland, and the Bishop of Caithness, proving that the title was of higher antiquity than 1245. On the other hand it was contended, that the line of the old Earls of Sutherland was interrupted and cut off, by the succession of Elisabeth, Countess of Sutherland, in 1514, when there began a new race of Earls of Sutherland, commencing from that year. It does not appear that the Court of Session ever finally determined this competition for precedency; nor has it been decided whether the judgment of the House of Lords of 21st May 1771, finding that Elisabeth Sutherland had a right to the title, honour, and dignity of the earldom of Sutherland, as heir of the body of William, who was Earl of Sutherland, 1275, settles that point; clear as it is that no peerage in Britain can come in competition with the earldom of Sutherland for antiquity.

Mag. Sig. L. xxxvii. No. 6.

Suth. Add. Case, 17.

Mag. Sig. L. xliii. No. 161.

JOHN, Earl of Sutherland had a charter of the lands of Gauldwell, Caddell, Cran-

Sutherland.

Mag. Sig. L. xlv. No. 271.

Hist. Suth. 313.

nage, &c. with the office of bailiary of the bishoprick of Caithness, 30th September 1608, and died at Dornoch, 11th September 1615, in the 40th year of his age. He was exceedingly beloved by the inhabitants of his country, especially by the common people, to whom he had been a loving father, and a careful master. He was very religious and godly, well disposed, and active in all manner of bodily exercise, of a comely countenance, and personable body; for integrity and upright dealing so just, that no man could touch his reputation with the least spot of dissimulation and deceit; being therein a right branch of the stock from whence he sprung. He was loving, kind, and courteous to all men, if not a little too familiar with his own. He left his house overburdened with debt, which he was obliged to contract, partly by the troubles which he had sustained for his religion, and by the restless and unruly endeavours of his enemies, who troubled him with tedious and unnecessary law-suits, still envying, when they perceived him beginning to prosper. His Lordship married, in February 1600, Anne, or Agnes, eldest daughter of Alexander, fourth Lord Elphinston, high treasurer of Scotland, and by her, who was a lady of a good inclination, a meek disposition, and very provident, and died 18th September 1617, in her 37th year, had issue,

Ibid. 252.

1. *Patrick*, Master of Sutherland, born 1604, who died young.

2. *John*, thirteenth Earl of Sutherland.

Ibid. 450, 471.

3. Hon. *Adam* Gordon, born 15th May 1613, who went to Germany in 1631, with a number of resolute soldiers, to fight under the banners of Gustavus Adolphus, King of Sweden, and was killed at the battle of Norlingin, 27th August 1634, æta. 22, unmarried.

4. Hon. *George Posthumus* Gordon, born after his father's death, 9th February 1616,

Ibid. 511.

who was captain in General Lesly's regiment in Ireland, afterwards a lieutenant-colonel, and married in 1643, Lady Rose Macdonnell, daughter of Randal, first Earl of Antrim, by whom he had a son, George.

1. Lady *Elisabeth*, married 25th February 1619, to James Crichton of Frendraught, and was mother of the first Viscount of Frendraught.

2. Lady *Anne*, married in December 1623, to Sir Gilbert Menzies of Pitfoddils, in the county of Aberdeen, and had issue, Gilbert, George, Margaret, and Jean. She perished at sea, on the coast of Holland, in July 1648, on her passage to France, to enjoy the free exercise of her religion, having been bred in the Romish faith, under her grandmother, Jean, Countess of Sutherland. She was generally lamented, being for beauty, judgment, discretion, and piety, singular. Besides several other passengers, three daughters of the Earl of Angus, nieces of the Duke of Lennox, and two sons of the Earl of Wintoun, were lost in the same ship.

Sutherland.

Hist. Suth. 384, 542.

XVII. JOHN, thirteenth Earl of SUTHERLAND, born 4th March 1609, was served heir of his father 2d June 1616, and had a charter of the barony of Ardurness, 6th March 1627. He was, on the 14th of May 1630, served heir in general, Willielmi primi illius nominis Sutherlandiæ Comitis qui obiit ad fidem et pacem Alexandri II. Regis Scotorum, attavi Nicolai Sutherlandiæ Comitis, attavi Alexandri Magistri Sutherlandiæ, abavi;—of John, Earl of Sutherland, qui obiit ad fidem et pacem, Jacobi IV. Regis Scotorum, attavi Joannis Sutherlandiæ Comitis, patris; and of John, Earl of Sutherland, heir of William Earl of Sutherland, attavi quondam Joannis Comitis Sutherlandiæ, attavi quondam Joannis Sutherlandiæ Comitis, patris dicti Joannis. He had a charter of the whole earldom of Sutherland, regality and sheriffship of Sutherland, de novo unit. 4th September 1631; and in 1633, he obtained from Parliament a confirmation of the sheriffship of Sutherland, and an erection of Dornoch into a royal borough. His lordship joined the supplicants against the service-book, 1637, and was appointed by Parliament a privy councillor for life, 1641; sent north with a commission for disarming malignants, 1644, and was one of the committee of estates, 1645. He sat in the Parliament of Scotland, in January 1649, was constituted keeper of the privy seal, 10th March following, and appointed colonel of a regiment of 1200 foot, to be raised for the king's service in the north. In August 1650, the Earl went to Edinburgh with 1000 men, to assist King Charles II.; but the battle of Dunbar happening before

Mag. Sig. L. li. No. 137. L. liii. No. 154. Inq. Ret. xi. 19.

Sutherland. their arrival, the regiment was ordered to Stirling, and the Earl sent north by his Majesty to raise more forces. He sent a regiment of Sutherland and Strathnaver men to Stirling, in March 1651, to the king, which was thankfully acknowledged by letter from his Majesty. The Earl did not accompany the King to England, being directed to stay in the north, to watch the coast, and his regiment was put under the command of the Viscount of Frendraught. During the usurpation, the Earl of Sutherland kept retired. He resigned his earldom into the hands of Charles II. who by charter, dated 21st February 1662, granted the same to George, Lord Strathnaver, his eldest son, et hæredibus suis masculis cognomen de Gordon uten. et insignia familiæ de Sutherland gerentibus, et assignatis suis quibuscunque; and in virtue of a precept proceeding upon the said charter, George, Lord Strathnaver, was infeoffed in the estate of the earldom, 28th April 1662. John, Earl of Sutherland, died in 1663, in the 55th year of his age.

Suth. Add. Case, 17.

His Lordship married, first, at Seton, 19th February, 1632, Lady Jean Drummond, only child of James, first Earl of Perth; this was the best match in Scotland, at that time, either for means or friendship, or the person of the lady, who was wise, virtuous, and comely *. She died at Edinburgh, 29th December 1637, and was buried first at Seton, then carried to Dornoch, as she had appointed in her will, having had issue,

1. *John*, Lord Strathnaver, born at Dornoch, 21st November 1632, died there of the small pox, 14th October 1637.

2. *George*, fourteenth Earl of Sutherland.

3. Lady *Jean*, born at Dornoch, 10th October 1634.

4. Hon. *Robert* Gordon, born at Dunrobin, 31st December, 1635.

The Earl married, secondly, 24th January 1639, Anne, eldest daughter of Hugh, eighth Lord Lovat, without issue.

XVIII. GEORGE, fourteenth Earl of SUTHERLAND, the eldest surviving son, born at Dornoch 2d November 1633, was infeoffed in the estate of the earldom of Sutherland, 28th April 1662, and succeeded his father 1663. On his own resignation, he obtained from King Charles II. a charter, dated 24th June 1681, of the earldom of Sutherland, in favour of John, Lord Strathnaver, his only lawful son, and the heirs male legitimately procreated, or to be procreated betwixt him and Lady Helen Cochrane, his wife; which failing, to the heirs male to be procreated by Lord Strathnaver, in any other lawful marriage; which failing, to George, Earl of Sutherland, and the heirs male of his body; which failing, hæredi femellæ natu maximæ legitime procreatæ vel procreandæ per dictum Joannem Dominum Strathnaver, cum prælata Domina Helena Cochrane, ejus sponsa, sine divisione, et hæredibus masculis ex ipsius hæredis femellæ corpore legitime procreandis; quibus deficientibus, filiæ legitimæ natu maximæ ejusdem hæredis femellæ, et hæredibus masculis ex ejus corpore legitime procreand.; and failing these, to the Earl's heirs female, and to several other heirs and substitutes therein named. His Lordship dying 4th March 1703, æta. 70, was buried at Holyroodhouse, where is a monument to his memory, with an inscription printed in Monteath's Theater of Mortality. Sutherland. Suth. Add. Case, 10.

His Lordship married, at Edinburgh, 11th August 1659, Lady Jean Wemyss, eldest daughter of David, second Earl of Wemyss, relict of Archibald, Earl of Angus, eldest son and heir apparent of William, first Marquis of Douglas. By her, who was heir of line of the Wemyss family, and died in January 1715, the Earl of Sutherland had a son, Lamont's Annals, MS.

John, fifteenth Earl of Sutherland; and two daughters,

1. Lady *Anne*, married at Newington, 3d May 1683, to Robert, third Viscount of Arbuthnott, and had issue. Lysons.

2. Lady *Jean*, born 24th April 1665. Edin. Reg.

XIX. JOHN, fifteenth Earl of SUTHERLAND, the only son, was one of the privy councillors of King William, had the command of a regiment of foot, and followed that monarch in all his campaigns

* Lady Jean Drummond, Countess of Sutherland, was served heir of James, Earl of Perth, her father, in the lands of Kilvallach in the earldom of Atholl, 23d March 1632. Inq. ret. xii. 8.

Sutherland.

Macky, 201.

in Flanders. Succeeding his father 1703, a contemporary said of his Lordship, "He "is a very honest man, a great asserter of "the liberties of the people; hath a good "rough sense; is open and free; a great "lover of his bottle and of his friend; brave "in his person, which he hath shewn in "several duels; too familiar for his qua- "lity, and often keeps company below it. "Is a fat fair-complexioned man, forty- "five years old." He took the oaths and his seat in parliament, 11th June 1704; was sworn a privy-councillor to Queen Anne, and nominated, in 1705, one of the commissioners for the treaty of union, which he steadily supported in parliament.

Suth. Add. Case, 19.

On his own resignation he obtained a royal charter, dated 29th March 1706, of the whole earldom of Sutherland, and lands thereof, in favour of William, Lord Strathnaver, his only son, et hæredibus masculis procreatis seu procreandis inter illum et Dominam Catherinam Morison sponsam dicti Gulielmi, Domini Strathnaver; quibus deficientibus, hæredibus masculis legitime procreandis per dictum Gulielmum, Dominum Strathnaver, cujusvis alius maritagii; quibus deficientibus, dicto Joanni, Comiti de Sutherland sibi ipsi, et hæredibus masculis legitime procreandis ex suo corpore; quibus deficientibus, hæredi femellæ natu maximæ legitime procreandæ ex corpore dicti Gulielmi, Domini Strathnaver, natu maxima semper succeden. sine divisione, et hæredibus masculis ex ejus corpore, &c. and failing these, to the Earl's heirs female, and several other substitutes; which failing, to the Earl's nearest heirs and assigns whatsoever. Upon this charter infeoffment was taken 27th May 1707. John, Earl of Sutherland was one of the sixteen representatives of the Scotish peerage chosen by parliament 1707; and he was also chosen at the general election 1715, 1722, and 1727. He was appointed president of the Board of Trade and Manufactures 1715, and the same year lord-lieutenant of the counties of Caithness, Cromarty, Elgin, Inverness, Nairn, Orkney, Ross, and Sutherland. On the breaking out of the rebellion 1715, having offered his services to raise the northern clans for government, he embarked on board the Queenborough man of war in the Thames, with a considerable quantity of arms and ammunition, landed at Dunrobin, 28th September 1715, raised 300 men, was joined by Lord Reay with 300 more, and proceeded along with his Lordship and Lord Strathnaver to Alness, where they arrived 6th October, and found Colonel Robert Monro, younger of Foulis, and Hugh Ross of Braelangwell, with about 600 of the Foulis and Balnagowan men, making in all 1200, with which they hoped to keep the Earl of Seaforth in check. Seaforth however being joined by Sir Donald Macdonald with 700 men, and his force being thereby augmented to 3000, marched on the 9th of October to attack the Earl of Sutherland, who, having called a council of war, it was determined to retreat, which was done in good order, back to Sutherland. Seaforth, leaving a garrison in Inverness, marched south, came to the Earl of Marr's army the beginning of November, and was present at the battle of Sheriffmuir. The Earl of Sutherland being joined by Lord Lovat, they attacked the town of Inverness, which was taken possession of by them 12th November. Seaforth, leaving the Earl of Marr, returned to his own country, where he arrived 1st December, and concerted with the Marquis of Huntly a plan for the recovery of Inverness. The Earl of Sutherland receiving intelligence thereof, marched against Seaforth before the junction could take place, and obliged him to enter into a submission. The Earl of Sutherland returned to Inverness, 1st January 1716, and soon afterwards the Marquis of Huntly also came into terms of submission, which he observed better than Seaforth, who, when he heard of the landing of the Pretender, got together his forces again. The Earl of Sutherland continued to defend the town of Inverness till the rebellion was completely quelled; his services and exertions were gratefully acknowledged by King George I., who, in June 1716, invested him with the order of the Thistle, and in September following settled a pension of L. 1200 per annum on his Lordship, who died at London, 27th June 1733.

Sutherland.

His Lordship married, first, Helen, second daughter of William, Lord Cochrane, eldest son of William, first Earl of Dundonald, by whom he had a son,

Sutherland.

William, Lord Strathnaver;—and two daughters,

1. Lady *Jean*, married, contract dated 31st August 1702, to James, Lord Maitland, eldest son of John, fifth Earl of Lauderdale; he died 1709. They had one daughter, Jean, born 7th September 1703, married, in 1726, to Sir James Fergusson of Kilkerran, baronet, and was mother of Sir Adam Fergusson, now of Kilkerran, baronet; George Fergusson of Hermand, a lord of session and justiciary; and other children.

2. Lady *Helen*, who died unmarried at Rosedow, 19th September 1749.

The Earl married, secondly, Lady Catherine Talmash, second daughter of Elisabeth, Duchess of Lauderdale, Countess of Dysart in her own right, by her first husband Sir Lionel Talmash, relict of James, Lord Down, eldest son of Alexander, sixth Earl of Moray; she died before February 1708. The Earl married, thirdly, the widow of Sir John Travel, an English lady of fortune, but had no issue by the two last.

XX. WILLIAM, Lord STRATHNAVER, the only son, was chosen Member of Parliament for Dornoch, &c. 1708, but his election was declared void, as being the eldest son of a peer of Scotland, consequently incapable of being chosen. He accompanied his father to the north in 1715; was actively employed against the rebels; had the command of a regiment; distinguished himself at the battle of Glenshiel against the Spaniards and rebels 1719, and died before his father, 19th July 1720. He married, contract dated 9th October 1705, Catherine, daughter of William Morison of Prestongrange, in the county of Haddington, a Member of Parliament, and one of the commissioners for the treaty of union, sister of Helen, Countess of Glasgow, and Jean, Viscountess of Arbuthnott; and by her, who died at Edinburgh, 21st March 1765, had five sons and two daughters,

1. Hon. *George* Sutherland, who died young.

2. Hon. *John* Sutherland, who, on the death of his father in July 1720, took by courtesy the stile of Lord Strathnaver; but dying the same year, was buried at Kensington 13th December 1720.

Sutherland.

3. *William*, sixteenth Earl of Sutherland.

4. Hon. *Charles* Sutherland, who died without issue.

5. Hon. *George* Sutherland, who died at Edinburgh, 15th March 1736.

1. Hon. *Helen* Sutherland, married, 12th April 1740, to Sir James Colquhoun of Luss; he died at Rosedow, 16th December 1786, and she survived till 7th January 1791, leaving several children. Her eldest son, Sir James Colquhoun of Luss, was created a baronet of Great Britain 1786, and died at Edinburgh, 23d April 1805.

2. Hon. *Janet* Sutherland, married at Dunrobin Castle, 24th October 1740, to George Sinclair of Ulbster, in the county of Caithness, who died 31st August 1770; she died at Edinburgh, 9th June 1795, in her 78th year. Her son, Sir John Sinclair, in his general view of the agriculture of the northern counties and islands of Scotland, after making a quotation from another work respecting Lady Janet Sinclair's management of her farm, adds, "It would be "unpardonable for a son, who feels so "many obligations to a valuable parent, "under whose care he was left at an early "period of life, and to whose example, in"structions, and talents for business he "owes so much, were he to neglect this "opportunity of transcribing the justice "done to her merit and exertions by the "pen of another." She had ten children: 1. John, born 23d August 1743, died 23d October following. 2. Catherine, born 19th September 1744, died of the small-pox 11th September 1748. 3. Henrietta, born 30th November 1745, died of the small-pox 24th September 1748. 4. Helen, born 8th June 1747, married, 1st August 1765, to Colonel Alexander Campbell of Barcaldine, deputy governor of Fort George, and had issue, and died at Edinburgh, 5th April 1787, æta. 40, having survived her husband, who died at Bath, 22d April 1779. 5. Mary, born 14th August 1748, married, 21st March 1770, to James Home Rigg of Morton and Gamelshiels, and died without issue at Edinburgh, 19th August 1791, æta. 43, having survived her husband, who died 23d January 1788. 6.

Communicated by the Right Hon. Sir John Sinclair, baronet.

William, born in Lady Strathnaver's apartments in the abbey of Holyroodhouse, 21st March 1750, and died at Edinburgh, 19th November 1764, æta. 15. 7. Catherine, born at Thurso East, 24th July 1751, died 23d February 1754. 8. The Right Honourable Sir John Sinclair of Ulbster, baronet, M.P. the public-spirited founder and president of the Board of Agriculture and Internal Improvement, born 10th May 1754. 9. Janet, born 4th September 1755, married at Edinburgh, 15th April 1803, to William Baillie of Polkemmet, in the county of Linlithgow, a lord of session. 10. James, born 22d April 1757, who had an ensign's commission in the army, and died young.

XXI. WILLIAM, sixteenth Earl of SUTHERLAND, the eldest son, born about 1707, was chosen Member of Parliament for the county of Sutherland at the general election 1727; admitted F. R. S. 1732; succeeded his grandfather 1733; was chosen one of the sixteen representatives of the Scotish peerage at the general election 1734; rechosen in 1741. He was also one of the lords of police, and appointed first lord of that board 1744. During the rebellion 1745, his Lordship displayed great activity in the service of government, and essentially contributed towards the suppression of the disaffected in the north. Under the act abolishing heritable jurisdictions, 1747, his Lordship had L. 1000 allowed to him for the redeemable sheriffship of Sutherland, and died at Montauban in France, on the 7th of December 1750, æta. 43. His Lordship married, 2d April 1734, Lady Elisabeth Wemyss, eldest daughter of David, third Earl of Wemyss, and by her, who died at Dunrobin, 20th February 1747, had a son,

William, seventeenth Earl of Sutherland; and a daughter,

Lady *Elisabeth*, married at Dysart, 29th December 1757, to her cousin the Hon. James Wemyss of Wemyss, M.P. third son of James, fourth Earl of Wemyss, and was mother of Lieutenant-General William Wemyss of Wemyss, who represented the county of Sutherland in parliament, and commanded the Sutherland fencible regiments; and of other children, as particularly mentioned under the title of Wemyss, Earl of Wemyss. Lady Elisabeth dying at Edinburgh, 24th January 1803, in the 64th year of her age, was buried at Holyroodhouse.

XXII. WILLIAM, seventeenth Earl of SUTHERLAND, the only son, born 29th May 1735, eagerly entered into the army on the breaking out of the rebellion, and had an ensign's commission in the first, or royal regiment of foot, 29th November 1745, in his eleventh year. He succeeded his father 1750; had a company in the 25th regiment of foot, 30th December 1755; and in 1759, when an invasion was expected, raised a battalion of infantry, which was completed in two months; and he was constituted lieutenant-colonel thereof, 11th August 1759. He was appointed aide-de-camp to the King, with the rank of colonel in the army, 20th April 1763. A vacancy occurring in the representation of the Scotish peerage, by the death of the Marquis of Tweeddale, the Earl of Sutherland was elected in his room, 8th March 1763; and he died at Bath on the 16th of June 1766, just after he had completed his 31st year. The circumstances attending his death were peculiarly affecting. The loss of their eldest daughter made so deep an impression upon the spirits of the Earl and Countess, that they visited Bath, in hopes the amusements of that place would dispel their grief. After a few weeks residence there, his Lordship was attacked with a fever, and the Countess devoted herself so entirely to the care of her husband, that she attended for twenty-one days and nights without leaving him or retiring to bed; this constant watching and fatigue, and the apprehensions of his danger, affected her to such a degree, that she died 1st June 1766, in her 26th year, sixteen days before the Earl fell a victim to disease. They were not less ennobled by their virtues than by their high rank; their untimely fate was deeply felt, and universally deplored; they were lovely and pleasant in their lives, and in their deaths they were not divided. The bodies of this most affectionate pair being brought to Scotland, were interred in one grave, in the abbey church of Holyroodhouse, on the 9th of August 1766. Stat. Acc. VIII. 11.

Sutherland.

His Lordship married at Edinburgh, 14th April 1761, Mary, eldest daughter and coheiress of William Maxwell of Prestoun, in the stewartry of Kirkcudbright. That gentleman married in 1739, Elisabeth, born 1717, daughter of William Hairstanes of Craigs, in the same county, and died in 1741, leaving two daughters, Mary, Countess of Sutherland, born 1740, and Wilielma, Viscountess Glenorchy, born 1741; his widow, 27th August 1753, became the second wife of Charles Erskine of Tinwald and Alva, a lord of session, and lord justice-clerk, without issue; had the style of Lady Alva; was entrusted with the charge of her grand-daughter the Countess of Sutherland, in her minority, and died at London, 24th October 1806, in her 90th year. The Earl and Countess of Sutherland had two daughters,

1. Lady *Catherine*, born at London 24th May 1764, died at Dunrobin Castle, 3d January 1766.

2. *Elisabeth*, Countess of Sutherland.

XXIII. ELISABETH, Countess of SUTHERLAND, the only surviving daughter, born at Leven Lodge, near Edinburgh, on the 24th of May 1765; succeeded her father on the 16th of June 1766, when she was placed under the guardianship of John, Duke of Atholl, Charles, Earl of Elgin and Kincardine, Sir Adam Fergusson of Kilkerran, and Sir David Dalrymple of Hailes, baronets, and John Mackenzie of Delvin. A competition arose for the title of Sutherland, to which claims were entered by the Countess, Sir Robert Gordon of Gordonstoun, baronet, and George Sutherland of Forse. Her Ladyship's cause was ably defended by the professional gentlemen employed on her part, and superior ability, accuracy, and depth of research were evinced in the "Additional Case of "Elisabeth, claiming the title and dignity "of Countess of Sutherland," by Sir David Dalrymple, Lord Hailes. After various proceedings, it was, on the 21st of March 1771, resolved and adjudged by the Lords Spiritual and Temporal in parliament assembled,

1. That the title, honour, and dignity of the earldom of Sutherland, descended to Elisabeth, the wife of Adam Gordon, upon the death of her brother, John, Earl of Sutherland, without issue, in 1514, as heir of the body of William, who was Earl of Sutherland in 1275; was assumed by her husband in her right, and from her descended to the heirs male, who were also heirs of the body, down to the death of the last Earl of Sutherland, in 1766, without any objection on the part of the male line of the said William.

Sutherland.

2. That none of the charters produced affect the title, honour, and dignity of the Earl of Sutherland, but operate as conveyances of the estate only.

3. That the claimant Elisabeth Sutherland, has a right to the title, honour, and dignity of the earldom of Sutherland, as heir of the body of William, who was Earl of Sutherland 1275.

The Countess's claim was thus confirmed, and her right established to the most antient title existing in Britain; a decision productive of the highest national satisfaction, the illustrious orphan having excited feelings of very lively interest; and public rejoicings took place in different parts of Scotland, in consequence. The Countess passed her youth in her native country, every care being successfully bestowed on her education and improvement; and afterwards visiting England, was presented at Court, of which she was justly considered a very distinguished ornament. In 1779, the Countess raised a regiment for the defence of Britain, called the Sutherland fencibles, which was completed to the full number of 1000 men, in twelve days, and the command given to her cousin-german lieutenant-general William Wemyss of Wemyss. At the commencement of the war 1793, the Countess again raised a regiment of fencibles, also under the command of the same able officer; that regiment, in 1798, volunteered their services to assist in quelling the rebellion in Ireland, where they were actively and successfully employed, till an end was put to those unhappy disturbances. Being afterwards disbanded at the same time with the other corps raised on the same footing, it was incorporated into the line, and is now the 93d regiment of foot, commanded by Lieutenant-general Wemyss.

The Countess was married, by special

 licence, at London, on the 4th of September 1785, to the Right Honourable George Granville Leveson Gower, Viscount Trentham, representative in two Parliaments for Newcastle-under-Line, and in three for the county of Stafford, eldest son of Granville, Earl Gower, who being created Marquis of Stafford 28th February 1786, Viscount Trentham took by courtesy the title of Earl Gower. His Lordship being appointed Ambassador Extraordinary and Minister Plenipotentiary to the Court of France, proceeded to Paris in January 1790, and remained there during the subsequent eventful period till August 1792, when the imprisonment of the royal family taking place, the British Ambassador was recalled. His Lordship was called up by writ to the House of Peers, as Baron Gower of Stittenham, in Yorkshire, 25th February 1799, with precedency from 16th March 1703; and, on the death of his father, 26th October 1803, became second Marquis of Stafford; is a knight of the garter, a privy councillor, and lord lieutenant of the county of Sutherland.

The Marquis and Marchioness of Stafford have, besides three sons who died in their infancy, four surviving children,

1. *George Granville*, Earl Gower, and Lord Strathnaver, born at London, 8th August 1786; elected Member of Parliament for St Mawes in Cornwall, 1808.

2. Lady *Charlotte* Leveson Gower, born 8th June 1788.

3. Lady *Elisabeth Mary* Leveson Gower, born 8th November 1797.

4. Lord *Francis* Leveson Gower, born 1st January 1800.

TITLES.—Elisabeth Sutherland, [Marchioness of Stafford,] Countess of Sutherland, and Lady Strathnaver.

CREATION.—Earl of Sutherland, certainly before 1245, probably in 1228.

ARMS.—Gules, three stars within a bordure, Or, charged with a double tressure, (as a mark of the royal descent of the family from King Robert I.) flowered and counter-flowered with fleurs-de-lis, of the field.

CREST.—A Cat, sejant, proper.

SUPPORTERS.—Two savages, wreathed about their heads and waists with laurel, each holding a baton over his exterior shoulder, proper.

MOTTO.—*Sans peur.*

The noble family of Gower is of high antiquity in England, descending from Sir Alan Gower, sheriff of the county of York, at the time of the Norman conquest, (1066) and lord of Stittenham, an estate still belonging to the Marquis of Stafford. Sir William Leveson Gower of Stittenham, baronet, inherited the estate of his maternal grand-uncle, Sir Richard Leveson of Trentham, in Staffordshire, K. B. and married Lady Jane Granville, eldest daughter of John, Earl of Bath; their eldest son, Sir John Leveson Gower, was created Baron Gower of Stittenham, 16th March 1703, and died 10th September 1709. By his wife, Lady Catherine Manners, eldest daughter of John, Duke of Rutland, he had John, Lord Gower, who was created Earl Gower and Viscount Trentham, 8th July 1746, and died 25th December 1754. He married Lady Evelyn Pierpont, daughter of Evelyn Duke of Kingston, K.G.; their eldest surviving son, Granville Leveson, Earl Gower, K. G. was created Marquis of Stafford. By his second wife, Lady Louisa Egerton, daughter of Scroop, Duke of Bridgewater, he was father of George Granville Leveson Gower, second Marquis of Stafford, K.G. heir of his uncle Francis, last Duke of Bridgewater, and husband of the Countess of Sutherland. The Marquis bears for arms: Quarterly, 1st and 4th, Barry of eight, argent and gules, over all a cross flory, sable, for Gower; 2d and 3d, Azure, three laurel leaves erect, Or, for Leveson. Crest, A wolf passant, argent, collared, and chained, Or. Supporters, Two wolves, argent, each having a collar and chain, Or. Motto, *Frangas non flectes.*

CHIEF SEATS.—Dunrobin Castle, in the county of Sutherland; Trentham Hall, in Staffordshire.

SCOT, EARL OF TARRAS.

Tarras.

WALTER SCOT, of Highchester, eldest son of Sir Gideon Scot of Highchester, second son of Sir William Scot of Harden, whose genealogy is contained in Douglas's Baronage, 213 to 217, was married at Wemyss castle, 9th February 1659, to Mary, Countess of Buccleuch, the greatest heiress then in Scotland. Her ladyship was in her 11th, and Mr Scot in his 14th year. On account of that alliance, he was created Earl of Tarras, Lord Alemoor, and Campcastell, for his life only, by patent dated 4th September 1660. Mary, Countess of Buccleuch, died at Wemyss, 12th March 1661, in her 13th year, without issue, when her titles and estates devolved on her sister Anne, afterwards Duchess of Buccleuch and Monmouth. The Earl of Tarras was implicated in the treasonable designs of the Duke of Monmouth and his council of six, 1683, having engaged to take arms with his friends on the borders, as soon as the first signal of revolt was sounded in England. He was an evidence against Robert Baillie of Jerviswood, at his trial, 23d December 1684. Fountainhall says his Lordship was nephew of Baillie by his lady, and that his testimony was objected to, being not only conscius et socius criminis, but also under process of treason, under fear and apprehension of his life, and so sub potestate accusatoris, and which was more, he was convictus, in so far as he had confessed his guilt, and thrown himself on the king's mercy, likewise, that he was threatened with torture. These objections were repelled by the Court, and Jerviswood was convicted and executed next day. The Earl of Tarras was brought to his trial 5th January 1685, and found guilty, his titles and estates forfeited, and his arms ordered to be torn, but the time, place, and manner of his execution, was left to the king. A remission was granted to him 5th February following, and he was set at liberty out of the castle the same day; the remission only gave him his life, but did not restore him to his title, and there was no account how his estate was to be disposed of, or how much thereof he was to be allowed. He was rehabilitated by letter under the great seal, 28th June 1687. The Earl of Tarras was one of the first that engaged in the revolution 1688, and dying in 1693, aged about 48, his title became extinct, being only granted for his life. His Lordship married, secondly, 31st December 1677, Helen, eldest daughter of Thomas Hepburn of Humbie, in the county of Haddington, by whom he had issue,

Lamont's Ann. MS.

Mag. Sig. L. lx. No. 3.

Laing, II. 124.

Fountainhall, I. 325, 328, 339.

Tarras.

Mag. Sig. L. lxx. No. 303.

1. *Gideon* Scot of Highchester, born 25th October 1678, served heir of his father 7th September 1694, and died in 1707; his eldest son Walter succeeded, on failure of the principal branch, to the estate of Harden, as heir male, in 1710, and died without issue in 1719; his brother and heir, John Scot of Harden, died without male issue in 1734.

Edin. Reg.

2. *Walter*, who succeeded to the estates of Harden and Highchester, on his nephew's death in 1734, and died in 1746. His eldest son, Walter Scott of Harden, was Member of Parliament for the county of Roxburgh, from 1747 till 22d May 1765, when a new writ was ordered on his appointment as receiver and cashier of Excise in Scotland. He died 25th January 1793, leaving by Lady Diana Hume his wife, third daughter of Hugh, third Earl of Marchmont, to whom he was married 18th April 1754, one son, Hugh Scot of Harden, Member of Parliament for the county of Berwick, from 1780 to 1784, married to Henrietta, daughter of John Charles, Count Von Bruhl, envoy from the Elector of Saxony at the Court of London, knight of the white eagle, by his wife, Alicia Maria, Countess Dowager of Egremont.

3. *Thomas*, who died in France, unmarried.

1. Lady *Helen*.
2. Lady *Agnes*.
3. Lady *Margaret*.

RUTHERFORD, EARL OF TEVIOT.

Teviot.

ANDREW RUTHERFORD, Lord RUTHERFORD, who has already been treated of at page 458 of this volume, was by King Charles II. created Earl of Teviot, by patent dated 2d February 1663, with limitation to the heirs male of his body. He was killed at Tangier, 4th May 1664, without issue, when the earldom of Teviot became extinct.

Mag. Sig. L. lx. No. 204.

Teviot.

SPENCER, VISCOUNT OF TEVIOT.

THE Hon. ROBERT SPENCER, brother of Henry, first Earl of Sunderland, and second son of William, second Lord Spencer, of Wormleighton, by Lady Penelope Wriothesly, eldest daughter of Henry, Earl of Southampton, baptized 2d February 1628, was created Viscount of Teviot 20th October 1685. He married Jane, eldest daughter and co-heiress of Sir Thomas Spencer of Yarnton, in the county of Oxford, baronet; she was buried at Yarnton, where is a monument thus inscribed: "In "hopes of a joyful resurrection, here lies "Jane, Vicecountess Tiveot, eldest daugh-"ter of Sir Thomas Spencer, baronet, of "this place, wife to Robert, Lord Viscount "Tiveot, second son to William, Lord Spen-"cer of Wormleighton, deceased the 10th "of June 1689, immodicis brevis est ætas et "rara senectus." Robert, Viscount of Teviot, dying without issue, the title became extinct.

Collins' Peer. II. 237.

Mag. Sig. L. lxx. No. 73.

Collins' Baronetage, I. 335.

LIVINGSTON, VISCOUNT OF TEVIOT.

JAMES LIVINGSTON, of Inches, second son of William Livingston of Kilsyth, acquired the lands of Brownlee and Jerviswood, of which he had a charter 1512. He married first, a daughter of Sir James Lockhart of Lee, secondly, a daughter of James Hamilton of Silvertonhill, and had a son, James Livingston, who died before his father, leaving by Agnes, daughter of William Cunninghame of Bonnytoun, a son, William Livingston of Jerviswood, who had a charter of that estate, 6th March 1548, Willielmo Livingston, nepoti Jacobi Livingston de Jerviswood. He married

Teviot

Jean, daughter of John Johnston of Johnston, by whom he had two sons, John, who died without issue, and William Livingston of Jerviswood, who had a charter of these lands, 1611, and married Janet Douglas, sister of the first Earl of Queensberry, by whom he had two sons; William Livingston, who sold the estate of Jerviswood to George Baillie, merchant in Edinburgh, and died without succession in the reign of King Charles I. and Mungo Livingston of Newbigging, who by his wife Jean, daughter of John Lindsay of Covington, was father of Sir Thomas Livingston, created baronet by Charles I. 29th June 1627. He was a colonel in the service of the States of Holland, commanded a regiment of foot, and married a daughter of Colonel Edmond, a native of Stirling, by whom he had two sons, 1. Thomas, Viscount of Teviot, and, 2. Sir Alexander Livingston, who succeeded his brother in his baronet's title, had the command of a regiment of foot in the service of the states of Holland, and left no male issue.

Sir THOMAS LIVINGSTON, the eldest son, was an officer in the service of the States of Holland, commanded a regiment of foot under King William III., on his expedition to Britain, 1688, was promoted to the command of the second regiment of dragoons, or royal Scots Greys, 31st December 1688, and signalized himself eminently in the campaigns of William. He was appointed commander in chief of the forces in Scotland, and sworn a privy councillor; had the rank of major-general, 1st January 1696, was created Viscount of Teviot, by patent dated 4th December 1696, to himself and the heirs male lawfully procreated, or to be procreated, of his body. In the great seal register are charters of resignation of Thomas, Viscount of Teviot, of the lands of Leithington, 23d January 1702, and of the lands of Waughton, 26th July 1709. He had the rank of lieutenant-general 1st January 1704, and dying at London, 14th January 1711, was buried in Westminster Abbey, where his brother Sir Alexander erected a noble monument to his memory. His title of Viscount of Teviot became extinct, as he left no male issue. In Fountainhall's decisions is a report of a cause against him, 14th December 1703, by Macktellina Walrave de Nimmeguen, his wife.

Teviot.

Mag. Sig. L. lxxviii. No. 35. L. lxxxiv. No. 62.

Fount. II. 199.

SANDILANDS, LORD TORPHICHEN.

Torphichen.

I. SIR JAMES SANDILANDS, the immediate ancestor of this antient family, had a charter from King David II. of an annualrent out of the lands of Horseburgh, and Hesteskrews, in the county of Peebles, in compensation of the lands of Craiglockard and Stenypath, in the shire of Edinburgh, by charter dated at Lanark, 6th October 1336. He had from the same monarch charters of the barony of Wistoun, in Lanarkshire, resigned by William Livingston, and of the discharge of the Castlewards furth of the barony of Wistoun. William, Lord Douglas, granted a confirmation charter, Jacobo de Sandilands dilecto armigero suo, of all his lands of Sandilands, and Reidmyre, within the lordship of Douglasdale, in the 17th year of King David II. 1345-6. He signalized himself against the English in that reign, and, on account of his worth and valour, obtained from William, Earl of Douglas, his sister Eleanor, Countess of Carrick, and with her the barony of West Calder in free marriage, to be held by them, and the heirs to be procreated betwixt them, as freely as the said Earl held the said barony from Duncan, Earl of Fife. In consequence of

Robertson's Index, 32.

Penes Dom. Torphichen, D.

Robertson's Index, 36.

Torphichen. Crawf. Peer. 477.

Torphichen. this alliance, the family of Sandilands has ever since continued to quarter the arms of Douglas with their own. He married Eleanor, only daughter of Archibald Douglas of Douglas, relict of Alexander Bruce, Earl of Carrick, killed at Halidonhill, 1333, and by her, who married, thirdly, William Towers of Dalry, fourthly, Sir Duncan Wallace of Sundrum, fifthly, in 1376, Sir Patrick Hepburn of Hales, had a daughter, *Marion*, married to Sir Gilbert Kennedy of Dunure, and a son*,

II. Sir JAMES SANDILANDS of Calder, who occurs in the register of charters of King Robert II. That monarch, on the 22d of October 1378, granted to Duncan Reg. Mag. Sig. 102. Walays, knight, and Elianore de Bruys, Countess of Carryk, his wife, the barony of Dalyell and Modirvale, in Lanarkshire, the barony of Oxinhame and Hetton, and the lands of Maxston, in the county of Roxburgh, the lands of Erthbyset and Westerbannok, in Stirlingshire, and an annualrent of ten marks out of Barras, in the county of Kincardine, on the resignation of the said Duncan, to be held by the said Duncan and Elianore, and the longest liver of them, and the legitimate heirs to be procreated of the body of the said Duncan, which failing, to James de Sandylandys, and the heirs to be procreated of his body; which failing, to Alan de Cathkert, and the heirs male legitimately procreated or to be procreated of his body; which failing, to Robert de Culqwhone, and the heirs male legitimately to be procreated of his body; which failing, to the nearest legitimate heirs of the said Duncan. King Robert II. granted another charter, without a date in the register, but according to Crawford Reg. Mag. Sig. 171. 20th November 1384, dilecto et fideli nostro, Jacobo de Sandyland militi, on his own resignation, of the baronies of Dalliel, Modirvale, and Wyston, lands of Erthbiset, Ochtirbanok and Slamananemore, to be held by the said James, and Johanna our dearest daughter, quam idem Jacobus, Deo duce, ducet in uxorem, and the heirs legitimately to be procreated betwixt them, which failing, to the heirs whatsoever of the said Sir James. He had another charter from Robert II. 20th May 1384, of forty shillings sterling, for the Castleward of the barony of Calder, dilecto filio suo Jacobi Sandilands, militi, tenend. eidem Jacobo et Johannæ sponsæ suæ filiæ nostræ carissimæ, et hæredibus inter ipsos legitime procreatis seu procreandis in perpetuum. In the reign of Robert III., George Dalzell had a charter of the barony of Dalzell, by resignation of James Sandilands, the king's good-brother; and the same monarch confirmed an infeftment, granted by James Sandilands to George, Earl of Angus, of the lands of Cavers, &c. and a charter given by James Sandilands of Calder, to George Lauder of Haltoun, of the barony of Wistoun. He married, in 1384, Johanna, second daughter of King Robert II., relict of Sir John Lyon of Glamis, and by her had a son,

Torphichen. Penes Dom. Torphichen. D. Crawf. Peer. 478. Robertson's Index, 159. 144.

III. JAMES SANDILANDS of Calder, designed by King Robert II. in a writ to him of the barony of Cavers, dilectus nepos suus. Jacobus Sandiland, Dominus de Caldor, was one of the hostages for King James I. when he was allowed to visit Scotland, 31st May 1421. Jacobus de Sandelandis de Caldor, had a safe conduct to Durham, to meet James, 13th December 1423. Jacobus, Dominus de Calder, was one of the hostages delivered up for his Majesty's ransom, 28th March 1424, when his annual revenue was estimated at 400 merks. He had a charter from Murdac, Duke of Albany, to James Sandilands of Calder, and Jonet, his wife, of the lands of Erthbiset, 4th February 1421-2, confirmed by charter under the great seal, 7th December 1426, by which time James Sandilands was dead, being designed quondam in the confirmation. He had a son,

Crawf. Peer. 478. Fœdera, X. 125, 309, 328. Mag. Sig. L. iii. No. 55.

IV. Sir JOHN SANDILANDS of Calder, who was infeft in the lands of Calder and barony of Sandilands, on a precept from the Earl of Douglas, the superior, in 1435. He was assassinated near Dunbarton in 1456, on account of his unshaken loyalty

Penes Dom. Torphichen, D. Pitscottie. 90.

* In Andrew Stuart's history of the Stewarts, 447, is a note of a dispensation dated 1383, Patricio de Sandilands, domicello St Andreæ, ut possit ducere in uxorem consanguineam in tertio gradu Isabellam, viduam nobilis viri militis Joannis de Lyndissin. This Patrick de Sandilands was probably a younger son of the first Sir James.

Torphichen.

to James II., by one Patrick Thornton of the King's court, but a favourer of the Douglas faction. Thornton was apprehended and executed along with his accomplices. Sir John Sandilands married Christian, second daughter of James Dundas of Dundas, and by her had a son,

Doug. Bar. 473.

V. Sir JOHN SANDILANDS of Calder, who, in 1466, made over his estate to James his son and heir apparent. John of Sandelands, and James of Sandelands his son and apparent heir, knights, appear as defenders in a civil cause, 4th June 1478. Sir John of Sandylands of Caldor, knight, appears as defender in two civil causes, 12th and 13th December 1482. He had a son,

Carta penes Dom. Torphichen. D.

Rec. Parl. 219, 288, 290.

VI. Sir JAMES SANDILANDS of Calder, who had a charter of the baronies of Erthbiset, Bannockburn, and Slamanan, on his own resignation, to him and Margaret Ker his wife, 14th July 1489. He married, first, Margaret, daughter and heiress of John Kinloth of Cruvie in Fife, by whom he had issue,

Mag. Sig. L. xii. No. 73.

1. *John.*

2. *James* Sandilands of Cruvie, ancestor of Lord Abercrombie. He had a charter from his nephew, Sir James Sandilands of Calder, knight, dated 17th May 1509. Jacobo Sandilands filio quondam Jacobi Sandilands de Calder, militis, ac patruo Jacobi Sandilands de Calder, militis, of the lands of Cruvy, Weddersby, and others, for the lands and baronies of Calder, Ochtirbannok or Bannockburn, Airthbiset, and Slamanan, in which he had been heretofore ditarily infeft, and which he now resigned in favour of his nephew, reserving part of Weddersby to Margaret Forrester, wife of the said James Sandilands junior, for the life of Margaret Ker, Countess of Errol, wife of the said deceased Sir James Sandilands, knight, grandfather of the said James Sandilands junior *.

L. xv. No. 41.

1. *Christian*, married, first, to David Hepburn of Waughton, as appears from a charter, 1498; secondly, to Andrew Anstruther of Anstruther, killed at Flodden, 1513.

Torphichen.

2. *Margaret*, married to Robert Bruce of Auchinbowie; they had a charter of these lands, 28th July 1506.

Mag. Sig. L. xiv. No. 218.

He married, secondly, Margaret, daughter of Andrew Ker of Auldtounburn, ancestor of the Dukes of Roxburghe, but does not appear to have had any issue by her, who took to her second husband William, third Earl of Errol.

VII. Sir JOHN SANDILANDS, the eldest son, is documented by a charter dated 3d July 1478, to John de Sandilands, grandson of John Kinloth of Crove, and son and heir apparent of Sir James Sandilands, knight, son and heir apparent Domini Joannis Sandilands, Domini de Calder, militis, of the lands of Petlair, Kirktoun of Colessie, and others, in Fife, on the resignation of his father James Sandilands, knight, and Margaret Kinloth his wife, reserving their liferent. A charter was granted to John de Sandilands, son and heir apparent of Sir James Sandilands, knight, son and heir apparent of Sir John Sandilands of Calder, knight, and to Elisabeth Scrimgeour, daughter of James Scrimgeour, Lord of Dudop, and constable of Dundee, wife of the said John Sandilands, by the said James Scrimgeour, of part of Dudop in Forfarshire, and of Southbello in Perthshire, 15th October 1481. By the said Elisabeth Scrimgeour he had a son,

L. iii. No. 125, 184.

VIII. Sir JAMES SANDILANDS of Calder, a person of great wisdom, and of the most exemplary piety and virtue. It would appear that his grandfather had settled his paternal estates on James his second son, who gave them up to Sir James on obtaining the Kinloth estates in Fife from him, as already mentioned. Sir James Sandilands had a charter, Jacobo Sandilands de Calder, militi, nepoti quondam Jacobi Sandilands de Calder, militis, avi sui, and to Margaret Forestare his wife, of the lands of Slamanane, Erthbiset, and Bannockburn, on the resignation of James Sandilands, filii secundi sive postnati of the said deceased James, dated 23d August 1510. He had a charter of Corswood, &c. in the barony

Cawf. Pers. 479.

Mag. Sig. L. xv. No. 210. L. xviii. No. 188, 189.

In Pub. Arch. D. Doug. Bar. 474.

* In Vol. I. p. 14, James Sandilands is mentioned as son of Margaret Ker the second wife: this does not appear to be the case, as she is not called his mother in the above charter.

Torphichen. of Calder, to him and Mariot Forester his wife, 17th June 1512, and another ratifying the grant by James Scrimgeour, constable of Dundee, of part of the lands of Dudop, 4th May 1513. He died after 1553. He married Margaret, or Mariot, only daughter of Archibald Forrester of Corstorphine, and by her had issue,

1. *John.*

2. Sir *James* Sandilands, who, on account of his eminent parts and learning was, by Sir Walter Lindsay, preceptor of the order of St John of Jerusalem in Scotland, recommended to the grand master of that order at Malta as a person well qualified to succeed to the preceptory. He resided some years in Malta, and gave such proofs of his ability, that he was admitted one of the knights of that order, and inaugurated future successor of Sir Walter Lindsay, on whose death, in 1538, he was invested with the title, power, and jurisdiction of Lord St John of Jerusalem in Scotland, the revenues of that order being very great, and their property widely extended. He was often employed in negotiations of importance with England, and embraced the reformation in 1553. He was sent to France by the congregation parliament in 1560, to lay their proceedings before Francis and Mary; but the Cardinal of Lorrain loaded him with reproaches, accused him of violating his obligations as a knight of a holy order, by consenting to be the bearer of the propositions of heretics, and notwithstanding all his efforts to sooth the prelate, and the most assiduous endeavours to recommend himself to the Queen, and ascertain her intentions, he was dismissed without an answer. He resigned the property of the knights of St John of Jerusalem into the hands of Queen Mary, who, on the 24th of January 1563-4, was pleased, in consideration of his merit and services, to grant to James Sandilands, Lord of St John, the lands and baronies of Torphichen, Listoun, Balintrodo, Thankertoun, Denny, Maryculter, Stanhouse, Galtna, &c. on payment of 10,000 crowns, and an annual feu-duty of 500 marks, erecting the same into the temporal lordship of Torphichen. He married Janet, daughter of Murray of Polmaise, but had no issue by her; and dying 29th November 1596, his title of Lord Torphichen devolved on his grand-nephew, James Sandilands of Calder. Torphichen.

Crawf. Peer. 479.

Keith's Catal. 268.

Cook's Reformation, II. 340.

Mag. Sig. L. xxxii. No. 182.

1. *Alison*, married to Sir John Cockburn of Ormistoun, and had issue.

2. *Margaret*, married to William Wauchope of Niddery-Marischal, and had issue.

IX. JOHN SANDILANDS of Calder, the eldest son, had a charter to John Sandilands, son and heir apparent of Sir James Sandilands of Calder, knight, and to Margaret Bertoun his wife, of the lands of Corswoodisle, Blackhall, and Cummylty, in the barony of Calder, and of Hallis of Erth in Stirlingshire, 12th May 1531. John Sandilands, fiar of Calder, and Margaret Bertoun his wife, had a charter of Corswood and Corswoodburn, 19th December 1552, and of Erthbiset in Stirlingshire, on the resignation of Sir James Sandilands of Calder, knight, and Mariot Forester his wife, 29th October 1553. He married, first, contract dated 1524, Margaret, daughter of Sir Robert Bartoun of Over Barntoun, high treasurer of Scotland, and by her had a son,

James.

Secondly, Johanna, third daughter of John, Lord Fleming, and by her, who married, secondly, David Crawford of Kerse, had a son,

Sir *James* Sandilands of Slamananmure, who had a charter to James Sandilands, eldest son and heir apparent procreated betwixt John Sandilands of Calder and Johanna *Fleming, of the lands of Slamananmure*; this charter is undated in the register, but was granted about 1563. He was one of the gentlemen of the bed-chamber to King *James* VI.; had charters of the coal and coalworks in the King's lands of Bonytoun and Blackness, 8th November 1592, of the lands of Houstoun, Niddery-Marischal, Gilmerton, and Pilmuir, 17th August same year, of the office of constable and keeper of the castle of Blackness, 2d October 1595, of the same, with the lands of Bonytoun and Blackness, 2d December 1595, and of the lordship of Listoun, otherwise Hallbarns, 27th November 1596.

Mag. Sig. L. xxiv. No. 68. L. xxxi. No. 101, 131.

Penes, D. Torphichen, D.

Mag. Sig. L. xxxii. No. 470. L. xxxviii. No. 89. L. xxxix. No. 79, 80, 105. L. xli. No. 100, 167.

X. JAMES SANDILANDS of Calder, the

Torphichen.

Mag. Sig. L. xxxii. No. 615.

eldest son, had a charter to James Sandilands, son and heir apparent of John Sandilands, then tiar of Calder, of the lands and barony of Calder, from his father, 8th March 1552-3, confirmed by charter under the great seal, 12th May 1567, by which time his father was dead, being designed quondam in the confirmation. James Sandilands died in 1577, having married Jean, daughter of James, fourth Lord Ross, and by her had a son,

Retour penes D. Torphichen. D.

XI. JAMES SANDILANDS of Calder, who was served heir of his father 1578. On the death of his grand-uncle James, first Lord Torphichen, the title devolved upon him; and "James Sandilands of Cal-"der, Lord Torpheching," was, 12th May 1597, served heir of James, Lord of Torpheching, brother-german of his grandfather John Sandilands of Calder, in the barony of Torpheching, with the teinds of the said barony and parish of the same, part of the barony of Listoun, lying within the county of Linlithgow, cum advocatione ecclesiarum baroniæ de Torpheching, libera capella et cancellaria infra bondas terrarum possessarum per quondam Jacobum Dominum de Torpheching, ejusque prædecessores, tanquam præceptores de Torpheching, cum aliis terris erectis in baroniam de Torpheching. His Lordship was, in the decreet of ranking of the nobility 1606, placed immediately after Lord Boyd, and died in August 1617. He married, first, Elisabeth, daughter of James Heriot of Trabrown, by whom he had issue,

Inq. Ret. i. 58.

1. *James*, third Lord Torphichen.

2. *John*, fourth Lord Torphichen.

3. Hon. *William* Sandilands, who was served tutor of his nephew John, fifth Lord Torphichen, 1st November 1637, being designed frater germanus quondam Joannis, Domini de Torphichin. He had a charter to William Sandilands, brother-german of the deceased John, Lord Torphichen, of the dominical lands of Drumcroce, 24th July 1646. Walter Sandilands of Hilderstoun was served heir male and of provision of Mr William Sandilands of Hilderstoun his father, in the dominical lands of Drumcroce, &c. the lands and town of Drumcroce, and the lands and town of South and North Hilderstaines, all in the county of Linlithgow, 16th March 1672. This branch took the name and arms of Hamilton of Westport, on succeeding to that estate, but is extinct in the male line, being represented by William Ferrier, now Hamilton of Westport, descended from an heir female.

Inq. Ret. xiv. 168.

Mag. Sig. L. lvii. No. 493.

Inq. Ret. xxxii. 37.

Torphichen.

4. Hon. *Robert* Sandilands, born 24th December 1600.

Edin. Reg.

Daughter, Hon. *Isabel* Sandilands, married to Hugh Wallace of Elderslie, and had issue.

His Lordship married, secondly, Mary, eldest daughter of Gilbert, eighth Lord Somervile; but had no issue by her, who took to her second husband William Douglas of Pompherstoun.

XII. JAMES, third Lord TORPHICHEN, the eldest son, was on the 15th of December 1618, served heir of James Lord of Torphiching his father, in the barony of Torphiching, cum advocatione ecclesiarum et libera capella et cancellaria, the barony of Listoun, the barony of Balintrodo, the lands of Stanehope, all united into the barony of Torphiching, in the counties of Edinburgh, Linlithgow, and Peebles. He died unmarried, in January 1622.

Inq. Ret. vii. 108.

XII. JOHN, fourth Lord TORPHICHEN, was served heir of his brother in the same property, and in the barony of Calder, 30th May 1622; and died in July 1637. By Isabel his wife, daughter of Sir Walter Dundas of Dundas, he had issue,

Ibid. viii. 67.

1. *John*, fifth Lord Torphichen.

2. *Walter*, sixth Lord Torphichen.

3. Hon. *William* Sandilands of Coustoun, in the county of Linlithgow, whose son, William Sandilands of Coustoun, made an entail of these lands, 28th February 1704; in virtue of which entail they are at present possessed by Matthew Dysert, now Sandilands of Coustoun, writer to the signet, descended from one of the entailer's sisters.

1. Hon. *Isabel* Sandilands, married to Sir Thomas Kirkpatrick, of Closeburn, in the county of Dumfries, baronet, and had issue.

2. Hon. *Margaret* Sandilands, married to Thomas Marjoribanks of Marjoribanks, and had issue.

XIII. JOHN, fifth Lord TORPHICHEN, the eldest son, being under age at his

Torphichen.

Inq. Ret. xiv. 168, 174.

father's death, William Sandilands, brother-german of the deceased John, Lord Torphichen, was served tutor at law of his Lordship, 1st November 1637. He was served heir of his father in the baronies of Torphichen and Calder, on the 7th of the same month, protested against the engagement to march into England 1648, was one of the few peers who sat in Parliament in January 1649, and died in July following, unmarried.

Gathrie's Memoirs, 263, 301.

XIII. WALTER, sixth Lord TORPHICHEN, was, on the 6th November, 1649, served heir of his brother in the baronies of Torphichen and Calder, and died in May 1696. His Lordship married, first, Jean, only child of Alexander Lindsay, younger of Edzell, by Lady Anne Wemyss, Viscountess of Stormont, second daughter of John, first Earl of Wemyss. Dame Jeane Lindsay, Lady Torphichen, was served heir of Dame Anne Wemyss, her mother, 16th April 1653, and of her father 17th August following. She died without issue. Lord Torphichen married, secondly, the Hon. Catherine Alexander, eldest daughter of William, Viscount Canada, and Lord Alexander, (eldest son of William, first Earl of Stirling,) by Lady Margaret Douglas, eldest daughter of William, first Marquis of Douglas, by whom he had issue,

Inq. Ret. xx. 93.

Inq. Ret. xxi. 185, 186.

Edin. Reg.

1. Hon. *Margaret* Sandilands, born 17th September 1660, died young.

Ibid.

2. Hon. *Anne* Sandilands, born 22d February 1663, married to Robert Menzies, eldest son and heir apparent of Sir Alexander Menzies of Menzies, baronet, and had issue by him, who died before his father in 1691.

Ibid.

3. Hon. *Catharine* Sandilands, married to David Drummond of Cultmalindie, without issue.

Lord Torphichen married, thirdly, 11th April 1671, the Hon. Anne Elphinstone, only daughter of Alexander, sixth Lord Elphinstone, by whom he had one child,

Hon. *Lilias* Sandilands, born 20th February 1672.

Ibid.

His Lordship married, fourthly, Christian, only daughter and heiress of James Primrose, Esq. one of the clerks of council, brother of Sir Archibald Primrose of Dalmeny, baronet, Lord Register, by whom he had issue,

Torphichen.

1. Hon. *Walter* Sandilands, who died before his father, without issue.

2. *James*, seventh Lord Torphichen.

3. Hon. *John* Sandilands, who died without issue.

1. Hon. *Christian* Sandilands, married 22d June 1704, to Robert Pringle, Esq. and had a son, Robert Pringle, Esq. an eminent councillor at law in London.

2. Hon. *Magdalen* Sandilands, who died unmarried.

XIV. JAMES, seventh Lord TORPHICHEN, the eldest surviving son, was served heir of his father, 13th May 1698, took the oaths and his seat in Parliament 6th July 1704, and afforded a cordial support to the treaty of union. He was lieutenant-colonel of the 7th regiment of dragoons, and served abroad in the wars of Queen Anne. At the breaking out of the rebellion 1715, he hastened down from London to Scotland, commanded a party of 500 horse and foot that marched from Edinburgh 17th October to attack the rebels at Seton House, but finding them so strongly entrenched within the gates, that it was impossible to dislodge them without artillery, he returned after exchanging some shots. At the battle of Sheriffmuir, 13th November 1715, his Lordship fought gallantly at the head of his dragoons; quitted the army 1722; was by King George I. appointed one of the lords of police, and held that situation till his death, at Calderhouse 10th August 1753, after possessing the title 57 years. His Lordship married Lady Jean Hume, born 26th March 1683, youngest daughter of Patrick, first Earl of Marchmont, high chancellor of Scotland, and by her, who died at Edinburgh, 10th December 1751, in her 69th year, had issue,

Minutes of Parliament.

1. Hon. *James* Sandilands, who had an ensign's commission in the 25th regiment of foot, 1735, afterwards a lieutenancy in the 44th, was at the battle of Preston 1745, where he was dreadfully mangled by the rebels, receiving no less than twenty-six wounds, of which he never entirely recovered, and died at Edinburgh, 20th April 1749, unmarried.

Torphichen.

2. *Walter*, eighth Lord Torphichen.

3. Hon. *Patrick* Sandilands, who obtained the command of one of the East India Company's country ships, on account of his gallant behaviour in repulsing a party of Angria the pirate's men, after they had boarded the vessel. He perished in a storm and left no issue.

4. Hon. *Alexander* Sandilands, who died young.

5. Hon. *Andrew* Sandilands, an officer of the 21st regiment of foot, or royal Scots Fuzileers, in which he had an ensigncy, 1733; a lieutenancy 1739; behaved so well at the battle of Dettingen, that he got a company in August 1743; was major of the regiment at the battle of Fontenoy, in April 1745, when he was shot through the thigh. On account of that wound, he quitted the army at the peace, and died unmarried at Contentibus, 27th June 1776.

6. Hon. *George* Sandilands, who died young.

7. Hon. *Charles* Sandilands, a lieutenant in the royal navy, who died on the Carthagena expedition 1741.

8. Hon. *Robert* Sandilands, who in 1747 was a lieutenant in the Earl of Drumlanrig's regiment of foot, in the service of the States of Holland, and in 1759, a lieutenant in Lord Aberdour's corps of light dragoons. He was appointed solicitor to the board of police, 1769, was captain in the south fencible regiment 1778, and died at Contentibus 18th May 1791. He married Grizel, daughter of Sir Thomas Kirkpatrick of Closeburn, baronet, and by her, who died 10th February 1776, had two daughters who died unmarried, and one son, James Sandilands, Esq. captain of an East Indiaman, married at Kippenross, 3d November 1806, to Margaret Douglas Stirling, second daughter of John Stirling of Kippendavie, and has a son, Robert, born 3d August 1807, and a daughter.

1. Hon. *Grisel* Sandilands, who died unmarried.

2. Hon. *Christian* Sandilands, who died unmarried at Calder, 5th October 1762.

3. Hon. *Wilhelmina* Carolina Sandilands, who died unmarried at Calder, 15th August 1767.

XV. Walter, eighth Lord Torphichen, the eldest surviving son, was admitted a member of the faculty of advocates 1727, was one of the deputes of the Earl of Lauderdale, high sheriff of the county of Edinburgh, and during the surcease of justice within the city, in the time of the rebellion 1745, was extremely active and useful in preserving order, and getting the inhabitants to provide necessaries of all kinds for the king's forces. He was appointed sheriff-depute of the county of Edinburgh, in 1748, succeeded his father 1753, and died at Calder on the 9th of November 1765. His Lordship married at London, 9th June 1737, Elisabeth, only daughter and heiress of Alexander Sandilands, M.D. physician of the British Hospital in Flanders, (who died at Calder, 29th March 1759,) and by her, who died at Calder, 27th September 1779, had four sons,

Torphichen.

1. *James*, ninth Lord Torphichen.

2. Hon. *Alexander* Sandilands, born 21st February 1761, who had a cornet's commission in the second regiment of dragoons, or royal Scots Greys, 1778, afterwards a lieutenancy in the same, continued several years in that regiment, and died at Calder, 20th November 1806, in his 45th year, unmarried.

3. Hon. *Walter* Sandilands, born 14th February 1763, who died young.

4. Hon. *Hugh* Sandilands, who in 1781 had a lieutenant's commission in the 78th regiment of foot; accompanied it to the East Indies; was severely wounded on board the Monarca, in the engagement betwixt Sir Edward Hughes and the Bailli de Suffrein, 2d September 1782, and died next month at Madras.

XVI. James, ninth Lord Torphichen, the eldest son, born 15th November 1759, succeeded his father 1765, was an officer in the 21st regiment of foot, or royal Scots fuzileers, in General Burgoyne's unfortunate expedition to America, and was one of those who piled their arms at Saratoga, in 1777, in consequence of the convention concluded by Burgoyne with General Gates. His Lordship being exchanged, had a company in the 24th foot, 1781, which he gave up for a lieutenancy in the Coldstream regiment of foot guards, 1787; had a company in that regiment, with the rank of

Torphichen. lieutenant-colonel 1793; served under the Duke of York in the campaigns in Flanders, 1793 and 1794, and retired from the service in 1795. His Lordship was chosen one of the sixteen representatives of the Scotish peerage at the general election 1790, and was rechosen 1796. His Lordship married, at Edinburgh, 6th April 1795, Anne, only surviving child and heiress of Sir John Inglis of Cramond, in the county of Edinburgh, baronet.

TITLE.—James Sandilands, Lord Torphichen.

CREATION.—Lord Torphichen, 24th January 1563-4, to the first lord, and his heirs and assigns whatsoever.

ARMS.—Quarterly, 1st and 4th party per fess, azure, and Or, on the first a crown, on the second a thistle, both proper, as a coat of augmentation: 2d and 3d quarterly, 1st and 4th argent, a bend, azure, for Sandilands; 2d and 3d argent, a man's heart, gules, crowned with an imperial crown, Or, on a chief, azure, three stars of the field, for Douglas. Torphichen.

CREST.—An eagle displayed, Or.

SUPPORTERS.—Two savages, each wreathed about the head and middle with laurel, and holding in his exterior hand a baton, proper.

MOTTO.—*Spero meliora.*

CHIEF SEATS.—Calder House, and Cramond House, both in the county of Edinburgh.

STEWART, EARL OF TRAQUAIR.

Traquair. I. JAMES STEWART, son of James, Earl of Buchan, obtained a legitimation under the great seal, 20th February 1488-9, Jacobi Stewart, filii naturalis Jacobi Comitis Buchaniæ, and had a charter from his father, dated 18th May 1491, of the lands of Trakware, to him and the heirs male of his body legitimately to be procreated, which failing, to Alexander, his brother-german. Here it will be observed, that Alexander, who became Earl of Buchan on his father's death, is designed *brother-german* of James. He had a grant of the lands of Melrose in Banffshire, from his brother Alexander, Earl of Buchan, Jacobo Stuart, fratri suo carissimo, and the Earl issued a precept for infefting him therein, both dated 4th December 1499. He fell at the battle of Flodden, 9th September 1513. He married Catherine, youngest daughter of Philip Rutherford, sister and heiress of Richard Rutherford of Rutherford, for which marriage a papal dispensation was obtained, 9th November 1505. She inherited the lands of Rutherford and Wells in the county of Roxburgh, and the family quartered the arms of Rutherford with those of Stewart. They had a son, Traquair.

Mag. Sig. L. xii. No. 128. L. xiii. No. 32. & 66.

Penes Com. de Traquair. D.

II. WILLIAM STEWART of Traquair, who had a charter to William Stewart, son and heir apparent of James Stewart of Tracquare, and his heirs, also to the said James Stewart and Catherine Rutherford his wife, namely, to the said William, of the lands of Trakware, Schelynlaw, Innerleith- Mag. Sig. L. xviii. No. 88. L. xxvi. No. 121.

Traquair.

en, and Glen, in the county of Peebles, (Glen being on the resignation of Jonet Murray, wife of George Kincaid,) and to Catherine the terce of Trakware, dated 11th August 1512. A charter was granted to William Stewart of Traquair, and Christian Hay his wife, in liferent, and Robert their son in fee, of the lands of Tracquare and Schelynlaw, and part of the lands of Glen, which belonged to James Stewart, captain of Down, and had been apprized from them by the King's mother, for 1250 marks, united into the barony of Trakware, 29th March 1538. According to Duncan Stewart, John, Earl of Buchan, made an entail of his honours and estate in favour of John his eldest son, and his lawful issue, failing him, to James, his youngest son, failing him, to the laird of Traquair, and his lawful issue, failing whom, to the Earl of Atholl, and his issue, with the proviso that the two last carry the name and arms of Stewart.* Here the laird of Traquair is preferred to the Earl of Atholl, descended from the elder brother of James, Earl of Buchan, father of James Stewart, the first of the house of Traquair. William Stewart of Traquair was served heir of line of Helen Rutherford his aunt, and got the lands of Rutherford and Wells confirmed to him. He married Christian Hay, second daughter of John, second Lord Yester, by whom he had four sons,

Dun. Stewart, 179.

1. *Robert* Stewart of Traquair, who succeeded his father, and died without issue, 9th September 1548.

Crawf. Peer, 481.

2. Sir *John* Stewart of Traquair, who was served heir of his brother in the barony

Inq. Ret. L. 127.

* According to the first edition, the entail of the earldom of Buchan, by John, Earl of Buchan, in the reign of James V. was to John Stewart his eldest son, and the heirs male lawfully begotten of his body, which failing to James Stewart his second son, and the heirs male lawfully begotten of his body, which failing to the heirs male of the laird of Traquair, which failing to the heirs male of the Earl of Atholl, which all failing to his own nearest heirs whatsoever. This is said to be instructed by a confirmation and signature in the possession of the Earl of Traquair, dated 29th April 1585, wherein the above entail is fully narrated, signed by King James VI., ordering a charter to pass the great seal. There appears some mistake here; the settlement of the earldom of Buchan by John, Earl of Buchan, 4th August 1547, being to John Stewart, his son and heir apparent, and his heirs, with reservation of his own liferent. Mag. Sig. L. xxx. No. 139.

of Traquair, &c. 2d May 1549, granted a charter of the barony of Edzarstoun, to his cousin Richard Rutherford, 12th January 1559-60; was knighted at the creation of Henry, Duke of Albany, 20th July 1565; was constituted captain of the guards to Queen Mary, 1566, and died without issue. Traquair. Mag. Sig. L. xxxi. No. 405.

3. Sir *William* Stewart of Traquair, who was one of the gentlemen of the bedchamber to King James VI. and governor of Dunbarton castle, 1582. He was served heir of his brother, 14th March 1574, had a charter to Sir William Stewart of Traquair of the lands of Caberstoun, 18th February 1594-5, and of Gaithop, Saithop, Craigdouglas, and Blackhouse, 26th March 1595, and died unmarried, 20th May 1605. Mag. Sig. L. xl. No. 186, 190.

4. *James*.

III. James Stewart, the youngest son, was a lieutenant in the guards, under his brother Sir John. He was served heir of his brother Sir William, 7th August 1605, and died 9th May 1606. He had issue, D. Stewart, 180. Inq. ret. iv. 3.

1. *John*.

2. Sir *Robert* Stewart of Schelynlaw, tutor of his nephew John.

IV. John Stewart, the eldest son, died before his father, leaving by Margaret Stewart, his wife, daughter of Andrew, Master of Ochiltree, a son.

V. Sir John Stewart of Traquair, who was served heir of his grandfather in the lands and barony of Traquair, &c. 10th May 1606, and in other lands 20th February 1640. After his return from his travels he was chosen Member of Parliament for the county of Peebles 1621; was knighted, and sworn a privy councillor. He had charters to Sir John Stewart of Traquair, of the lands of Innerlethan, called Hornhunterland, 29th January 1662, and of a pension of L. 122 Scots, of the superplus of steadings belonging to him as feuar thereof, devolved on the Prince, 30th January 1623. He stood high in the good graces of Charles I. who appointed him treasurer-depute, and created him a peer, by the title of Lord Stewart of Traquair, by patent dated at Whitehall, 19th April 1628, to him and his heirs male bearing the name and Ibid. iv. 64. Crawf. Off. 81. 406. Mag. Sig. L. i. No. 83. 314. L. ii. No. 48, 249, 250.

Traquair.

arms of Stewart. His Lordship had charters of Grevistoun, Eshiesteill, &c. 13th March 1630; was appointed high treasurer of Scotland the same year, and had a charter of the barony of Lyntoun, 13th July 1631. He was raised to the dignity of Earl of Traquair, Lord Lintoun and Caberstoun, by patent dated at Holyroodhouse, 23d June 1633, to him and his heirs male for ever, bearing the name and arms of Stewart; had charters of the ecclesiastical lands of Peebles, 26th July 1634, and of the barony of Horsburgh, 12th February 1639. His Lordship was chancellor of the jury on the trial of Lord Balmerinoch, in March 1635, when that nobleman was convicted; but threats having been made of revenging his death on the judges and jurors who voted against him, Traquair hastened up to court and obtained a pardon for him. The Earl of Traquair was summoned at the request of the council, to court, in 1638, to give information of the state of affairs. His representations of the temper and strength of the presbyterians, of the disaffected and distracted situation of the country, were suspected from his noted animosity to the prelates; and his advice that the liturgy should be recalled, disregarded. After the pacification of Berwick, 1639, Traquair was appointed commissioner to the General Assembly, which met at Edinburgh, 12th August 1639. The assembly was conducted, by the prudence of Traquair, with great moderation, and rose on the 30th of August. Next day, his Lordship, as commissioner, opened the parliament in great state; but before a single article was reported, parliament was suddenly prorogued, Charles having determined on a war with Scotland, as a pretext for which a letter was produced by Traquair, (who had gone up to England,) subscribed by seven of the chief nobility, and addressed, Au Roi, in the stile appropriate to the French King, to justify their conduct, and implore his assistance. Traquair, being apprehensive of personal danger, should he revisit Scotland, four persons were appointed to notify a farther prorogation of parliament; two of them, Lords Elphiustone and Napier, refused to officiate without his authority; the lord-advocate and justice-clerk protested against them; and the estates proceeded, 2d June 1640, to choose a president and to enact laws. Traquair was impeached by parliament as an incendiary in 1641, but his punishment was tacitly reserved to the King, who was interested in his preservation, by every motive of gratitude excited by his former services. He sent his son Lord Lintoun with a troop of horse to join Montrose, just before the battle of Philiphaugh, 1645; raised a regiment of horse for the engagement to attempt the rescue of Charles I. in 1648; marched with them to England; was made prisoner at the battle of Preston that year, and sent under a strong guard to Warwick Castle, where he was confined four years. Being at last released, he returned home, where he suffered extreme poverty, and died in September 1659. A copious account of his Lordship's transactions may be seen in Crawford's Lives of the Officers of State, to which reference is made. According to Lord Clarendon, the Earl of Traquair "was "without doubt not inferior to any in that "nation (Scotland) in wisdom and dexte-"rity; and though he was often provoked "by the insolence of some of the bishops "to a dislike of their overmuch fervour, "and too little discretion, his integrity to "the King was without blemish, and his "affection to the church so notorious, that "he never deserted it, till both it and he "were overrun and trode under foot, and "they who were the most notorious perse-"cutors of it never left persecuting him "to the death." He married Lady Catherine Carnegy, third daughter of David, first Earl of Southesk, and by her had a son,

John, second Earl of Traquair; and four daughters,

1. Lady *Margaret*, married to James, second Earl of Queensberry, and was mother of the first Duke.

2. Lady *Elisabeth*, married to Patrick, second Lord Elibank, and had issue.

3. Lady *Anne*, married to Sir John Hamilton of Redhouse, and had issue.

4. Lady *Catherine*, married to John Stewart, Esq. and had two sons and a daughter.

VI. JOHN, second Earl of TRAQUAIR,

Mag. Sig. L. iii. No. 189.

L. liv. No. 281. L. lv. No. 142. L. lvi. No. 90.

Laing, I. 162.

Ibid. 172.

Traquair.

Crawf. Off. St. 406 to 414. Hist. Reb. I. 108.

D. Stewart.

Traquair. the eldest son, born 1622; joined the Marquis of Montrose with a considerable body of horse in September 1645; accompanied the Duke of Hamilton in his expedition to England 1648; was taken at Preston, but soon released. He succeeded his father 1659, and died in April 1666, in the 44th year of his age.

Lamont's Annals, M.S. His Lordship married, first, in 1649, Lady Henriet Gordon, second daughter of George, second Marquis of Huntly, relict of George, Lord Seton, eldest son of George, second Earl of Wintoun, mother of George, third Earl of Wintoun, but had no issue by her, who died in December 1650. His

Ibid. Lordship married, secondly, at Wintoun, April 1654, Lady Anne Seton, born 30th September 1634, second daughter of George, second Earl of Wintoun, by his second wife Elisabeth, daughter of Lord Herries, and had issue by her,

1. *William*, third Earl of Traquair.
2. Hon. *George* Stuart, who died, unmarried, before his father.
3. *Charles*, fourth Earl of Traquair.
4. Hon. *John* Stuart, who died without issue.
1. Lady *Elisabeth*,
2. Lady *Isabel*,
3. Lady *Lucy*,—who all died unmarried.

VII. WILLIAM, third Earl of TRAQUAIR, the eldest son, born 18th June 1657, succeeded his father 1666, and died unmarried.

VII. CHARLES, fourth Earl of TRAQUAIR, born 1659, a nobleman of great integrity, worth, and honour, succeeded his brother, and died at Traquair, 13th June 1741, in the 82d year of his age. His Lordship married Lady Mary Maxwell, only daughter of Robert, fourth Earl of Nithsdale, a lady possessed of every good quality; and by her, who died at Edinburgh, 22d September 1759, in the 88th year of her age, had issue,

1. *Charles*, fifth Earl of Traquair.
2. *John*, sixth Earl of Traquair.
1. Lady *Lucy*, who died unmarried at Edinburgh, 12th April 1768.
2. Lady *Anne*, who died unmarried at Edinburgh, 5th April 1755.
3. Lady *Mary*, married to John Drummond, stiled Duke of Perth, and died without issue at Edinburgh, 4th February 1773. Traquair.
4. Lady *Catherine*, married to her cousin William, Earl of Nithsdale, and died at London, 6th March 1773, leaving one surviving child, Lady Winifred Maxwell of Nithsdale.
5. Lady *Barbara*, who died unmarried at Edinburgh, 15th November 1794 *.
6. Lady *Margaret*, who died unmarried at Edinburgh, 4th April 1791 *.

VIII. CHARLES, fifth Earl of TRAQUAIR, the eldest son, succeeded his father 1741, and died at Edinburgh, 24th April 1764. His Lordship married Theresa, daughter of Sir Baldwin Conyers of Horden, in the bishoprick of Durham, and of Great Stoughton in the county of Huntingdon, bart. but had no issue by her, who died 12th May 1778.

VIII. JOHN, sixth Earl of TRAQUAIR, succeeded to the title 1764; and died at Paris on the 28th of March 1779, in the 81st year of his age. His Lordship married, in 1740, Christian, daughter of Sir Philip Anstruther of Anstrutherfield in Fife, baronet, relict of Sir William Weir of Blackwood, in the county of Lanark, baronet, and by her, who died at Traquair, 12th November 1771, in the 69th year of her age, had issue,

1. *Charles*, seventh Earl of Traquair.
2. Lady *Christiana*, married to Cyrus Griffin, Esq. and has two sons and two daughters.
3. Lady *Mary*.
4. Lady *Lucy*.

IX. CHARLES, seventh Earl of TRAQUAIR, the only son, succeeded his father 1779; married at London, 19th August 1773, Mary, daughter and coheiress of George Ravenscroft of Wickham, in the

* These two ladies were twins. Dr Archibald Pitcairn, who died in 1713, has verses In Barbaram et Margaritam Caroli Stuarti Comites de Traquair filias gemellas.

Tertia Septembris vos orbi misit ovanti,
Et te, Cromwelli, dire tyranni! Stygi.
Quam gratum errorem matri patrique creatis,
Quam cupidos dabitis, quam timidosque procos.

Traquair.

county of Lincoln, and by her, who died at Madrid on the 11th of July 1796, had issue,

1. Lady *Louisa*, born 20th March 1776.

2. *Charles*, Lord Linton, born 31st January 1781.

TITLES.—Charles, Earl of Traquair, Lord Stewart of Traquair, Linton, and Caberston.

CREATIONS.—Lord Stewart of Traquair, by patent dated at Whitehall, 19th April 1628, to the first Lord and his heirs male, bearing the name and arms of Stewart. Earl of Traquair, Lord of Linton and Caberston, by patent dated at Holyroodhouse, 23d June 1633, to the first Earl, and his heirs male for ever, bearing the name and arms of Stewart.

ARMS.—1st, Or, a fess, cheque, argent and azure, for Stewart. 2d, Azure, three garbs, Or, for Buchan. 3d, Sable, a mullet, argent, for Murray. 4th, Argent, an Orle, gules, and three martlets in chief, sable, for Rutherford. Traquair.

CREST.—A garb, Or, surmounted of a crow, proper.

SUPPORTERS.—Two bears, proper.

MOTTO.—*Judge nought.*

SEAT.—Traquair House, in the county of Peebles.

MURRAY, EARL OF TULLIBARDINE.

Tullibardine.

IT has been already mentioned that Sir John Murray of Tullibardine was created Lord Murray of Tullibardine, 25th April 1604, and Earl of Tullibardine, 10th July 1606, and that his son William, second Earl of Tullibardine, resigned his earldom into the hands of King Charles I. 1st April 1626, in order that it might be conferred on his brother Sir Patrick Murray, as his son enjoyed the earldom of Atholl.

Vol. I. p. 146.

I. The Hon. Sir PATRICK MURRAY of Castleton, third son of John, first Earl of Tullibardine, was, on his brother's resignation, created Earl of Tullibardine and Lord Murray of Gask, 30th January 1629, to him and his heirs male whatsoever. He had a charter, Patricio, Comiti de Tullibardine, et Magistro Patricio Murray regis cyathogestori, of the barony of Gorthie in Perthshire, 12th June 1629. He also had a charter of the barony of Logicalmond, 17th December 1638. He married Elisabeth, second daughter of John Dent, a citizen of London, relict of Sir Francis Vere, brother of Horace, Lord Vere, of Tilbury. Her mother was Alice, daughter of Christopher Grant of Ireland, who took to her second husband Sir Julius Cæsar, knight, chancellor of the exchequer. By her he had two sons,

Mag. Sig. L. lii. No. 44, 198. L. lvi. No. 63.

Tullibardine.

Lodge, III. 329.

1. *James*, fourth Earl of Tullibardine.

2. Hon. *William* Murray of Redcastle, who joined the Marquis of Montrose, was taken prisoner at Philiphaugh, 13th September 1645, and sentenced to be executed; the Earl of Tullibardine declaring, that since the young man had joined with that wicked crew, he did not esteem him his brother, and that he would take it as no favour, if, on that account, any indulgence should be shown to him. He accordingly suffered death along with Sir Robert Spots-

Guthrie, 266.

Tullibardine.

wood and others, at St Andrews, 27th November 1645.

Mag. Sig. L. lvii. No. 211.

II. James, fourth Earl of Tullibardine, the eldest son, had a charter to James, Lord Murray of Gask, eldest son of Patrick, Earl of Tullibardine, and to Lilias Drummond his wife, of the barony of Tullibardine, 21st August 1643. He succeeded his father soon afterwards, was

Guthrie, 257.

active on the part of the parliament, but in January 1647 opposed the delivering up of King Charles I. to the English. He had a charter to James, Earl of Tullibardine, of the office of constabulary of Huntingtour, and stewardship of the same, 28th

Mag. Sig. L. lviii. No. 255.

December 1649. A fine of L. 1500 was imposed on him by Cromwell's act of grace and pardon, 1654, and he died in January 1670. His Lordship married, first, Lady Anne Murray, fourth daughter of John, Earl of Atholl; secondly, Lady Lillias Drummond, second daughter of John, second Earl of Perth; thirdly, Lillias, eldest daughter of Sir James Drummond of Machany, who married, secondly, James, fourth Earl of Perth, high chancellor of Scotland. A charter was granted to Lillias Drummond, Countess of Tullibardine, of the lands of Cowhill, in Perthshire, 19th June 1668. The Earl of Tullibardine dying without issue, his titles devolved on John, Earl of Atholl, whose son John, Lord Murray, was created Earl of Tullibardine for life, 27th July 1696.

Tullibardine.

Lamont's Annals, MS.

Mag. Sig. L. lxii. No. 251.

HAY, MARQUIS OF TWEEDDALE.

Tweeddale.

See Vol. I. p. 544.

I. William de Haya, who held the office of pincerna domini regis (king's butler) during the reigns of Malcolm IV. and William I., is the first of this very antient family on record in Scotland. He died about 1170, having married a daughter of Ranulph de Soulis, Lord of Liddisdale, by whom he had two sons,

1. *William*, ancestor of the Earl of Errol.

2. *Robert*, ancestor of the Marquis of Tweeddale.

Orig. Writs of Coldingham, penes Macfarlane. D.

II. Robert de Haya, the second son, witnessed a charter confirming the liberties and immunities of the priories of Durham and Coldingham 1204. He had a son,

Caledonia, I. 585. Chartul. of Kelso, 57. D.

III. Sir William de Haya, who witnessed a charter of King Alexander II. to the abbot and convent of Kelso in 1240, under the designation of William de Haya, miles. He was father of,

IV. Sir John de Haya, who witnessed a charter of King Alexander II. to Maldwin, Earl of Lennox, dated at Selkirk, 28th July 1238, and in a charter to the monastery of Newbottle is designed Johannes de Haya, miles, filius Willielmi de Haya. He acquired the lands of Locherworth in the county of Edinburgh, by his marriage with Margaret de Lyne, coheiress of Robert de Lyne [qu. Lindesay?] and by her had a son,

Tweeddale.

Chartul. of Lennox, 13. D.

Chartul. of Newbottle. D.

Crawf. Off. 88. 235. Caledonia, II. 222.

V. Sir William de Haya of Locherworth, who, in a convention with the abbot and monks of Inchcolm 1263, is designed Willielmus de Haya, Dominus de Locherworth. Dominus Willielmus de Haya, filius Johannis de Haya, militis, Domini de Locherworth, confirmed to the monks of Newbottle the peatary of Locherworth, quam Robertus de Lindesay [qu. Lyne?] filius David quondam Domini de Locherworth, et ipsius pater, illis dedit. This confirmation is undated, but, from

Chartul. of Incheolm, 24. D.

Chartul. of Newbottle, 9. D.

Tweeddale.

the names of the witnesses, appears to have been granted betwixt 1272 and 1295. Willielmus de Haya of Locherworth also witnessed a charter of Donald, Earth of Mar, to Sir Nicol Hay of Errol, about 1290. Guillame de la Haye appeared in the parliament at Brigham, 12th March 1289-90, when the marriage of Margaret of Scotland and Prince Edward was proposed. Willielmus de la Haye was one of the nominees on the part of Bruce the competitor, 1292. Willielmus de la Haye swore fealty to King Edward I., 17th July 1292. Sire Willame de la Haye submitted to the same monarch 1297. He had a son,

Peres Com. de Errol. D.

Fœdera, II. 471, 555, 570, 791.

VI. Sir GILBERT DE HAYA of Locherworth, who swore fealty to King Edward I., 12th July 1296. He married Mary, one of the daughters and coheiresses of Sir Simon Fraser of Oliver Castle, executed by Edward I. 1306, with whom he got a considerable estate in the shire of Peebles, and thence quartered the arms of Fraser with his own. He had charters from King Robert I. to Gilbert de Haya of Locherward, of the lands of Auchinfichlach, &c. which belonged to Duncan Frendraught, knight, of the lands of Achenus, &c. of the forest of Dwne, &c. and of the lands of Awne, in Boyne, with many others. A charter was granted in the reign of the same monarch to Gilbert Hay, of the lands of Brechine, by William de Montealto of Kinblankmonthe. He had a son,

Pryune, III. 651, 655.

Caledonia, II. 922.

Robertson's Index, 1, 16, 16.

VII. THOMAS DE HAYA of Locherworth, who, in the reign of Robert I., had a charter to Thomas Hay, of the third part of the lands of Lutheris, which the Earl of Buchan gave to Roger Cumyng. Thomas Hay granted a charter to Thomas Monypenny of Pitmilly, of part of his lands within the barony of Lucheris in Fife. He had a son,

Ibid. 20, 58.

VIII. Sir WILLIAM DE HAYA of Locherworth, who was made prisoner at the battle of Durham, 17th October 1346 *. He was one of the commissioners to treat concerning the ransom of King David II.

Crawf. Peer. 484.

Fœdera, V. 794.

* William de Haya is in the list of those killed in that battle. Dalr. Ann. II. 108.

1354. By a lady of the family of Douglas, he had a son,

Tweeddale.

IX. Sir THOMAS HAY of Locherworth, who, under the designation of le fils et heir Willialme del Hay, Seignur de Lochewart, was one of the hostages for the liberation of David II., specified in the treaty of 13th July 1354. He was, under the designation of Thomas fitz et heir William de la Hay de Locherward, one of those hostages, when the treaty for the King's release was concluded, 3d October 1357. He was in the custody of the sheriff of Northumberland, 20th May 1362, also 20th June 1363. He got leave from Edward III. to go to Rome, 16th May 1369. He had a share of the 40,000 francs sent in 1385 by the King of France with John de Vienne, to be distributed among the principal persons of Scotland, 400 being allotted to Thomas de la Haye. He married Christian, sister of Cardinal Walter Wardlaw, bishop of Glasgow, and by her had a son,

Fœdera, VI. 35, 48, 364, 419, 619. VII. 483.

X. Sir WILLIAM HAY of Locherworth, who had the office of sheriff of Peebles. Willielmus de Hay de Lochawart, Vicecomes de Peebles, miles, was one of the commissioners appointed to treat with the English, to whom a safe conduct was granted, 27th April 1409. He was again a commissioner to treat with the English, 21st April 1410, also 23d May and 24th September 1411, and 7th August 1413. He founded the collegiate church of Yester, for a provost, six prebendaries, and two singing boys, in 1420, and died soon afterwards. He married, first, Johanna, eldest of the four daughters and coheirs of Hugh Giffard of Yester, with whom he got that barony, and added the arms of Giffard to his own. By her Sir William Hay had issue,

VIII. 584, 635, 689, 703. IX. 45.

Keith's Catal. 289.

1. Sir *William* Hay, who is mentioned in an indenture dated 1418, inter nobilem virum Willielmum de Haya, Vicecomitem de Peebles, cum consensu Domini Willielmi filii sui et hæredis, and William, bishop of Glasgow. He predeceased his father.

Crawf. Peer. 485.

2. Sir *Thomas* Hay of Yester, who was served heir of his father in the lands of

Tweeddale.

Fœdera, X. 308, 309, 348, 509.

Eccermuir, &c. in 1422. Thomas, dominus de Yestyr, was one of the hostages nominated for the ransom of King James I. 4th December 1423, when his annual revenue was estimated at 600 merks. Thomas de Haya de Zestyr, had a safe conduct to meet King James I. at Durham 13th December 1425; and Dominus Thomas Hay de Zester was one of the substituted hostages for James I. 16th July 1425. Thomas Hay, miles, hostage, was released, 20th June 1432. He died without issue the same year.

3. Sir *David.*

1. *Margaret*, married in 1425, to William, second Earl of Angus, and was mother of the third Earl.

Dispens. penes M. Tweeddale, D.

2. *Jean*, married to Sir Alexander Home of Home.

3. *Alicia.* A papal dispensation was granted in August 1421, permitting George de Dunbar, Comes Marchiarum regni Scotiæ, et nobilis mulier Halysia Wilhelim de Haya, militis, quondam domini de Vhestyr, nata, domicella, to marry, notwithstanding they were within the fourth degree of consanguinity, and that she was within the second degree of consanguinity to the deceased Beatrix, first wife of George. It is uncertain whether this marriage took place. Alicia, daughter of Sir William Hay of Locherworth, married Gilbert, son and heir apparent of Sir William Hay of Errol, and was mother of the first Earl of Errol.

A. Stuart, 452.

Keith's Catal. 289.

He married, secondly, Alicia, daughter of Sir Thomas Hay of Errol, and by her, who long survived him, and considerably augmented the revenues of the collegiate church of Yester, in 1444, had two children.

Edmund de Haya, who had from David, his brother, a charter of Yester, Duncanlaw, and Morham, 7th March 1436-7, until David should infeft him or his heirs in eight marks of lands. David accordingly granted to Edmund de Haia, his brother-german, and the heirs male of his body, whom failing, to return to David, by charter dated 12th August 1439, the lands of Talla or Thalich, in the barony of Oliver Castle, in the shire of Peebles, and the lands of Linplum, in the barony of Duncanlaw, in the county of Haddington. He had charters of part of Duncanlaw, from Isabel de Foresta, 4th February 1438-9, and of part of Lynplum, from Dugal Macdougal of Malcarston, 18th May 1439. A grant under the great seal was made 9th December 1449, to Edmund l'Haya of Tallow, and to Annabella his wife, of the marriage of William de Maxwell of Teyling. He was ancestor of the Hays of Barra, Rannes, Mountblairy, Cocklaw *, Faichfield, Ranfield, Linplum, Alderston, Mordington, and other families of that name.

Mag. Sig. L. iii. No. 126, 127. L. iv. No. 92.

Tweeddale.

Daughter, *Elisabeth*, married to Duncan Macdowal of Makerstoun. A charter was granted to Duncan Macdowal, eldest son of Dugal Macdowal of Malcarston, and to Elisabeth de Haia his wife, of Yester, Duncanlaw, and Morham, on the resignation of Dugal Macdowal aforesaid, 11th April 1440.

Mag. Sig. L. iii. No. 167.

XI. Sir DAVID HAY of Yester, the third but eldest surviving son, was served heir of his brother Thomas, 6th April 1434, and had a charter of Yester, Morham, Duncanlaw, and Giffardgate, in exchange for the barony of Teyling, in Forfarshire, from Robert Boyd of Kilmarnock, 10th January 1451-2. He augmented the revenues of the collegiate church of Yester, adding several prebends thereto. A cause betwixt Sir William Hay of Tallow, son of the deceased Edmund ye Hay of Tallow, against Sir David Hay of Yester, knight, touching the occupation of the lands of Morcham called Boydis Quarter, and Linplum, was determined against Sir David, 13th October 1466, against which John ye Hay, son of Sir David, protested. Sir David ye Hay of Yester occurs in the records of Parliament in December 1475. He married Lady Mary Douglas, relict of Alexander, first Lord Forbes, only daughter of George, first Earl of Angus, of that house, by Mary, daughter of King Robert III. and by her had issue,

Crawf. Peer. 185.

Mag. Sig. L. iv. No. 162.

Rec. Parl. 143, 192.

1. *John.*

* The last of the house of Cocklaw was Charles Hay, who was admitted a member of the Faculty of Advocates 1769; constituted a lord of session, by the stile of Lord Newton, 5th March 1806, being the only Judge appointed during the administration of Charles James Fox, to whose political principles he steadily adhered. Lord Newton died unmarried, 19th October 1811, æta. 64. A just tribute to his memory, by the learned Professor Playfair, appeared in the Edinburgh Evening Courant of 2d January 1812.

Tweeddale.

2. *Andrew*, rector of Biggar, 1469.

Daughter, *Margaret*, married to Sir Niel Cunningham of Barns, in Fife.

XII. JOHN HAY of Yester, the eldest son, had a charter to John Hay, son and heir apparent of David Hay of Yester, knight, of the barony of Oliver Castle, in the county of Peebles, upon the resignation of Robert, Lord Fleming, in excambion with *David*, for his lands in the barony of Biggar, dated 12th July 1470. He was created a peer, by solemn investiture in Parliament, by the title of Lord Hay of Yester, 29th January 1487-8; had a charter of the barony of Locherworth, 2d September 1500; granted a charter 15th February 1503-4, witnessed by John Hay of Belton, knight, and Alexander Hay of Menzean, his sons, and died in 1509. He married, first, Mary, daughter of John, Lord Lindesay of Byres, they had a charter 1462, and by her had a son,

Mag. Sig. L. vii. No. 173.

Rec. Parl. 325.

Mag. Sig. L. xiii. No. 381. L. xiv. No. 49.

Crawf. Peer. 485.

John, second Lord Hay of Yester;

Secondly, contract dated 1468, Elisabeth, daughter, and at length sole heir of George Cunningham, son of Sir William Cunningham of Belton, and by her had issue,

Ibid.

1. Sir *John* Hay, who had a charter of the barony of Snaid in the county of Dumfries, to John Hay, second son of John Hay of Yester, procreated betwixt him and Elisabeth Cunningham his wife, daughter of George Cunningham of Belton, from the said George, dated 4th May 1482.

Mag. Sig. L. x. No. 26.

2. *Alexander* Hay of Menzean.

1. *Margaret*, married to William, Lord Borthwick; Crawford refers to a charter, 1491.

Crawf. Peer. 485.

2. *Isobel*, married to Robert Lauder of Bass; Crawford refers to a charter 1496.

Ibid.

XIII. JOHN, second Lord HAY of YESTER, the eldest son, had a charter to John Hay of Yester, son and heir of the deceased John, Lord Hay of Yester, of Oliver Castle and Glenrusk, in the county of Peebles, and Todrig in Selkirkshire, 2d February 1511-2: another to John, Lord Hay of Yester, of half of the barony of Yester, and the whole of Duncanlaw, 10th November 1512, and fell at the battle of Flodden, 9th September 1513. He married Elisabeth Crichton, probably of the house of Sanquhar; she was alive in 1519, when John, Lord Hay of Yester, made a grant of lands with consent of Elisabeth Crichton, his mother; and by her he had issue,

Mag. Sig. L. xviii. No. 21, 129.

Crawf. Peer. 485.

Tweeddale.

1. *John*, third Lord Hay of Yester.

2. *George* Hay of Oliver Castle.

3. *William*, ancestor of the Hays of Monktoun.

1. *Elisabeth*, [qu.?] married to James Tweedie of Drumelzier, and had issue.

2. *Christian*, married to William Stewart of Traquair, and had issue.

3. *Elisabeth*, married to William, fifth Lord Abernethy of Salton; they had charters 23d July 1512, and 27th November 1536.

XIV. *John*, third *Lord* HAY of YESTER, the eldest son, had a charter to John Hay, son and heir apparent of John, Lord Hay of Yester, and to Elisabeth Douglas, his wife, of the lands of Hoprew, in the county of Peebles, 7th October 1509. Dominus Hay de Zester signed the letter to Henry VIII. refusing to remove the Duke of Albany from the guardianship of King James V., 4th July 1516; set his seal to a treaty with *England*, 7th October 1517, and died in 1543. He married, first, Elisabeth Douglas, eldest daughter of George, Master of Angus, sister of Archibald, sixth Earl of Angus, by whom he had a son,

Mag. Sig. L. xv. No. 194.

Fœdera, XIII. 553, 600.

John, fourth Lord Hay of Yester; and a daughter,

Elisabeth, married to George, fourth Lord Seton; they had a charter 1527.

He married, secondly, the daughter and sole heiress of Dickson of Smithfield, in the county of Peebles, by whom he had issue.

1. *John*, who, succeeding to his mother's estate, had a charter to John Hay of Smithfield, of half of the lands of Posso, &c. in 1543; he was ancestor of Sir John Hay of Smithfield and Haystoun, baronet.

In Pub. Arch. D.

2. *Jean*, married to Brown of Coalstoun, in the county of Haddington.

XV. JOHN, fourth Lord HAY of YESTER, the eldest son, had a charter to John Hay, son and heir apparent of John, Lord Hay of Yester, and to Margaret Livingston, his wife, of the lands of Lyne and Wester Hoprew, in the shire of Peebles,

Mag. Sig. L. xxv. No. 54.

Tweeddale.

18th October 1533. He was taken prisoner by the English at the battle of Pinkie, 10th September 1547, and sent to the Tower of London, where he remained till peace was concluded, when he was released, and he died in 1557. He married Margaret, eldest daughter of William, fourth Lord Livingston, by whom he had issue,

1. *William*, fifth Lord Hay of Yester.

2. *Thomas*, provost of Bothans.

Daughter, *Mary*, married to William Congalton of Congalton.

XVI. WILLIAM, fifth Lord HAY of Yester, the eldest son, was served heir of his father, 1559. He granted a charter to Margaret Kerr, his wife, of the lands of Belton, 12th September 1560, being therein designed William, Lord Hay of Yester, and died in August 1576. He married Margaret, daughter of Sir John Kerr of Fernihirst, and by her had issue,

1. *William*, sixth Lord Hay of Yester.

2. *James*, seventh Lord Hay of Yester.

1. *Margaret*, married, first, in 1582, to James, seventh Lord Borthwick; secondly, to Sir Robert Lauder of Popil, son of Sir Robert Lauder of Bass.

2. *Catherine*, married to Robert Swinton of Swinton, and had issue.

3. *Jean*, married to Sir James Hay of Barra, commissary of Glasgow.

4. *Elisabeth*, married to William Ker of Broomland.

XVII. WILLIAM, sixth Lord HAY of YESTER, the eldest son, was served heir of his father, William, Lord Hay of Yester, in his property in the counties of Edinburgh, Haddington, and Peebles, 6th October 1576; was engaged in the detention of James VI. at Ruthven Castle, 1582; retired to the continent next year, but returned home in 1585, when all the exiles were pardoned. On his own resignation he obtained a charter of the baronies of Yester, Lochquharret, Oliver Castle, &c. united into the Lordship of Yester, penult. Februarii 1590-1, to him and the heirs male of his body, which failing, to James Hay, his brother-german, and the heirs male of his body. This charter contains a clause, for the exoneration of our conscience, and the conscience of the said William, Lord Hay of Yester, in excluding the daughters and heirs female from their birthright, that, if he died without issue male, his brother should pay 10,000 marks to his eldest daughter, 7000 marks to the second, and 6000 marks to each of the younger daughters. William, Lord Hay, died immediately afterwards, before taking infeftment on this charter. He married Mary Maxwell, daughter of John, Lord Herries; she had a charter Dominæ Mariæ Maxwell, wife of William, Lord Hay of Yester, of the lands of Belton, in liferent, 24th February 1590-1. They had six daughters,

Tweeddale.

Mag. Sig. L. xxxvii. No. 409.

1. *Margaret*.

2. *Jean*, married to Alexander Horsburgh of Horsburgh, in the county of Peebles, and had a son, Alexander Horsburgh, who was, 17th May 1620, served heir portioner of his great-great-grandfather, (abavi) John, Lord Hay of Yester, in property in the counties of Haddington and Lanark, being therein designed son of Alexander Horsburche, procreated betwixt him and Jean Hay, daughter of William Hay of Yester.

Inq. Ret. vii. 291.

3. *Agnes*.

4. *Christian*, married to Archibald Newton of Newton, in the county of Haddington.

5. *Elisabeth*, married to Tweedie of Drumelzier, in the county of Peebles.

6. *Grizel*, married to George Hay of Alderston, in the county of Haddington.

Margaret, Agnes, Christina, Elisabeth, and Grissilis Hays, were served heirs portioners of John, Lord Hay of Yester, their great-grandfather, in property in the counties of Haddington and Lanark, 17th May 1620.

Inq. Ret. i. 111.

Inq. Ret. vii. 291, 292.

XVII. JAMES, seventh Lord HAY of YESTER, had a letter of provision under the great seal, to James, son of William, Lord Hay of Yester, ad beneficium ministerii loci fratrum de Peebles, for life, 15th January 1583-4. On his brother's death, without male issue, King James VI. granted a charter to James Hay, brother-german of the deceased William, Lord Hay of Yester, and his heirs male, of the lordship and barony of Yester, containing a new erection, with a seat and vote in Parliament, and all other honours and dignities enjoyed by the

Mag. Sig. L. xxxvii. No. 281.

Mag. Sig. L. xxxv. No. 887.

L. xxxvii. No. 292.

Seth. Add. Case, vi. 91.

Tweeddale. Suth. Add. Case, vi. 91.

said William, and his predecessors, ac si dictus quondam Wilielmus in hæreditario feodo præfatarum terrarum baroniarum et dominiorum obiisset, et ac si dictus Jacobus ejus frater germanus sibi in eisdem tanquam hæredi masculo et talliæ, per brevia capellæ nostræ intrasset. He had a charter to John, Lord Hay of Yester, and Lady Margaret Ker, his wife, of the ecclesiastical lands of the provostry of Bothanes, 6th September 1594;* and died in February 1609. His Lordship married Lady Margaret Ker, third daughter of Mark, first Earl of Lothian. A charter was granted to Margaret Ker, Lady Yester, and William Hay, her second son, of the ecclesiastical lands of Barro, in the county of Haddington, 14th September 1611. She married, secondly, Andrew, Master of Jedbrugh, without issue; founded a church at Edinburgh, known by the name of Lady Yester's; and died 15th March 1647, in her 75th year, having had by her first husband three children,

Mag. Sig. L. xxxvii. No. 494.

L. xlvi. No. 409.

1. *John*, eighth Lord Hay of Yester.

2. Hon. Sir *William* Hay of Linplum, who married Anna Murray; two of their children are entered in the registers of Edinburgh, John, born 26th October 1619, and Anna, born 19th May 1625. One of their daughters, Margaret, was married to Sir John Baird of Newbyth, in the county of Haddington, (son of James Baird, advocate, commissary of Edinburgh) and had issue, John, born 4th October 1648; Margaret, born 23d December 1649; John, born 23d September 1652; and William. Sir John Baird was appointed a lord of session, 4th November 1664; superseded 1st 1681; reappointed 1st November 1689, and died in May 1698, æta. 78. His only surviving son, Sir William Baird of Newbyth, born 12th November 1654, was created a baronet, 4th February 1680, and admitted an advocate 31st July same year. Sir William Hay of Linplum was succeeded by his eldest son, Sir James Hay of Linplum, who died in 1704. He married, contract dated 4th February 1661, Jean, eldest daughter of Sir Patrick Scott of Thirlestane, baronet. They had two sons, 1. John Hay, younger of Linplum, married, 4th July 1685, to Jean, eldest daughter of Sir John Foulis of Ravelstoun, in the county of Edinburgh, baronet, by Margaret, daughter of Sir Archibald Primrose, lord clerk-register, sister of the first Earl of Rosebery, and by her had an only child, Margaret, born 30th June 1686, married to Lord William Hay, third son of John, second Marquis of Tweeddale; her father died before 16th April 1687, when Sir James Hay was served tutor at law of his granddaughter. 2. Sir Robert Hay of Linplum, lieutenant-colonel of the second regiment of dragoons, or royal Scots greys, who died without issue at Linplum, 20th December 1751, in his 79th year, and was succeeded, in virtue of an entail executed by himself, by Lord Charles Hay, third son of Charles, third Marquis of Tweeddale.

Tweeddale.

Edin. Reg.

Inq. Ret. xxxix. 404.

Daughter, Hon. *Margaret* Hay, married, first, to Alexander, first Earl of Dunfermline, high chancellor of Scotland, and was mother of Charles second Earl of Dunfermline; secondly, in 1633, to James, fourth Earl of Calendar, without issue, and died in January 1660.

Ibid.

XVIII. JOHN, eighth Lord HAY of YESTER, the eldest son, had a charter to John, Master of Yester, of lands in the counties of Lanark and Peebles, 18th April 1599; was served heir of his father in his property in the counties of Dumfries, Edinburgh, Haddington, Peebles, Perth, and Selkirk, 2d March 1610, and had several charters to John, Lord Hay of Yester. He possessed great sagacity and attention to business; opposed the act for regulating the apparel of churchmen, 1633; was one of the supplicants against the introduction of the service-book; 1637, and had the command of a regiment in the Scotish army, 1639. He was raised to the dignity of Earl of Tweeddale, by patent dated at Newcastle 1st December 1646, to him and his heirs male for ever, and died in 1654. His Lordship married, first, lady Jean Seton, daughter of his brother-in-law Alexander,

Mag. Sig. L. xli. No. 533.

Inq. Ret. iv. 361.

Crawf. Peer. 486.

* His page, Hepburn, accused his master of the horse of a design to poison him; the master of the horse denied it; the affair was brought before the Council, who directed it to be determined by single combat, which was fought in presence of judges, in October 1595. Extract from the records of council, penes March. de Tweeddale, D.

Tweeddale. first Earl Dunfermline, high chancellor of Scotland, by his second second wife Grizel Lesly, and by her had one son,

John, second Earl of Tweeddale.

Secondly, Lady Margaret Montgomery, eldest daughter of Alexander, sixth Earl of Eglintoun, and by her, who was born 2d March 1617, took to her second husband William, ninth Earl of Glencairn, high chancellor of Scotland, and died 27th January 1665, in her 48th year, had another son,

Hon. *William* Hay, born December 1649, on whom he settled the barony of Drumelzier; he married the Hon. Elisabeth Seton, only surviving daughter of Alexander, first Viscount of Kingston, by his second wife Elisabeth Douglas, heiress of Whittinghame, and by her had two sons, Alexander and William, the last died without issue, and a daughter, Margaret, married to Robert, seventh Lord Blantyre, and had issue, and died 13th December 1782, æta. 85. Alexander Hay of Drumelzier and Whittinghame, the eldest son, died 13th March 1789, in his 88th year. He married, first, the Hon. Anne Stuart, fourth daughter of Alexander, fifth Lord Blantyre, she died in March 1743; secondly, 21st March 1752, Jean, second daughter of Lord David Hay of Belton; she died without issue 9th October 1764. By his first wife he had, 1. William, who died without issue. 2. Alexander, an officer of the Norfolk East Indiaman, who died at Kinsale, 6th December 1758. 3. Robert Hay of Drumelzier, Whittinghame, and Linplum, who was in the civil service of the East India Company at Bencoolen for 38 years, and died at Cadder, 21st August 1807, aged about 78; he married, 7th February 1787, Janet, eldest daughter of James Erskine of Cardross, and by her, who died 29th August 1808, had William Hay of Drumelzier and Whittingham, Robert Hay of Linplum, three other sons, and four daughters. 4. James Hay of Nunraw. 5. John. 1. Anne, married, 14th November 1751, to Sir Patrick Murray of Balmanno, baronet; secondly, 7th October 1762, to Archibald Stirling of Kier, and died at Cadder, 14th October 1807. 2. Margaret, married to Sir Henry Seton of Culbeg, baronet, and had issue, and died 2d March 1809.

XIX. JOHN, second Earl of TWEEDDALE, the eldest son, born 1626; went to London with his uncle the Earl of Dunfermline 1640; joined the standard of Charles I. at Nottingham in 1642; returned home in 1643, and had the command of a regiment in the service of the states of Scotland conferred on him. He fought at their head at the battle of Marston Moor, against the royal army, 1644; waited on the King at Newcastle 1646; had the command of the East Lothian regiment of 1200 men, raised in 1648, to endeavour to rescue Charles I., and was at the battle of Preston that year, where the Scots were totally routed *. He assisted at the coronation of Charles II. at Scone, in 1651; garrisoned his house of Niedpath for the King, and then repaired to Dundee. He succeeded his father 1654; was member for the county of Haddington to Cromwell's parliament, 1655; waited on King Charles II. at the restoration, and was sworn a privy-councillor. In the parliament 1661, his Lordship was the only person that opposed the passing sentence of death on Mr Guthrie, for declining the King's authority in matters ecclesiastical, and moved that he should only be banished. His words being misrepresented to the King, he was committed prisoner to the castle of Edinburgh, 14th September 1661, but liberated 4th October, on giving security in L. 100,000 to return when called on. He was appointed one of the commissioners of the treasury, and, 2d June 1664, an extraordinary lord of session. He represented to the King, in 1667, the wretched state to which the country was reduced; and the administration was placed in the hands of his Lordship, the Earl of Kincardine, and Sir Robert Murray, under whom the nation again respired, and enjoyed, for a time, the benefits of a humane and impartial government. The Earl of Tweeddale always studied to keep proceedings in a legal channel, was for moderate councils, and had a main hand in procuring the indulgence to the Presbyterian ministers, 1669.

Tweeddale. Crawf. Off. Sc. 235.

Lamont's Annals, MS.

Laing, II. 46.

* A charter was granted to John, Master of Yester, and Lady Jean Scot his wife, of the barony of Lyne, and office of sheriff of Peebles, 2d January 1647. Mag. Sig. L. lviii. No. 10.

Tweeddale. On account of a difference with the Duke of Lauderdale, the Earl was dismissed from his offices 1674, and not suffered to continue in the privy-council. On the downfal of Lauderdale, his Lordship was again appointed a commissioner of the treasury, and sworn a privy-councillor, and, on the death of Charles II., was continued in the same by James VII. He disposed of the antient estates of his family in the county of Peebles *in* 1686, to the first Duke of Queensberry, being deeply involved, chiefly on account of his cautionary engagements for the Earl of Dunfermline. He joined cordially *in the revolution*; was sworn a privy-councillor of King William and Queen Mary, 18th May 1689; constituted one of the lords of treasury, 7th December same year; promoted to the office of high chancellor of Scotland, 5th January 1692; and created Marquis of Tweeddale, Earl of Gifford, Viscount of Walden, and Lord Hay of Yester, to him and his heirs male whatsoever, by patent, printed in Crawford's Officers of State, dated at Kensington, 17th December 1694. The Marquis was high commissioner to the parliament that met at Edinburgh, 9th May 1695, was deprived of the chancellor's place in 1696, on account of his not being so compliant in the affair of Darien as the court expected, and dying at Edinburgh 11th August 1697, in the 71st year of his age, was buried at Yester. He was early engaged in business, and continued in it to a great age; understood all the interest and concerns of Scotland well; had a great stock of knowledge, with a mild and obliging temper; was of a blameless, or rather of an exemplary life in all respects. He was the ablest and worthiest man of the nobility, only he was too cautious and fearful. He married Lady Jean Scott, daughter of Walter, first Earl of Buccleuch, and by her had issue,

Crawf. Off. St. 239.

1. *John*, second Marquis of Tweeddale.

Edin. Reg. 2. Hon. *Francis* Hay, born 16th December 1649, died young.

3. Lord *David* Hay of Belton, who had that estate settled on him by his father, 9th December 1687, when a charter was granted to John, Earl of Tweeddale, and David Hay *his second son*, of the barony of Belton, and he died in January 1727. His relict died at Belton, 14th January 1760. He had two sons, 1. John Hay of Belton, who was appointed receiver of bishops rents, August 1744, and died without issue at Edinburgh, 27th March 1780. 2. James Hay of Belton, married, 20th June 1780, to Dorothea, daughter of John Hay of Newhall, sister of George, seventh Marquis of Tweeddale, and died at Belton, 6th February 1798, leaving three sons, David Hay of Belton; George, who died 16th December 1798; and James, in the navy; and two daughters. Lord David Hay had also four daughters, Margaret, who died at Belton, 31st January 1760; Jean, married, 21st March 1752, to Alexander Hay of Drumelzier, and died without issue, 9th October 1764; Diana Hungerford, who died at Ninewar, 1st January 1763; and Elisabeth, who died at Edinburgh, 9th July 1777.

Tweeddale.

4. Hon. *Charles* Hay, died young.

5. Lord *Alexander* Hay of Spott, who had a charter to Alexander Hay, third son of John, Earl of Tweeddale, of the barony of Auldhamstocks, 20th January 1688, and died at Lawfield, 31st July 1737. He married Miss Catherine Charteris, and had issue, 1. John Hay of Lawfield, born 24th March 1698, died without issue. 2. William Hay of Lawfield and Spott, born 30th December 1699, who married, 11th May 1759, Elisabeth, born 25th January 1734, eldest daughter of Sir Robert Sinclair of Stevenston, in the county of Haddington, baronet, by whom he had Robert Hay of Lawfield and Spott; William, a captain in the 83d regiment of foot, who died in St Domingo, 15th November 1795; John, who died at Spott, 28th September 1783; and other children. 3. Catherine, married to Sir Philip Anstruther of Balcaskie in Fife, baronet, died at Balcaskie, 11th February 1759, and was mother of Sir Robert Anstruther of Balcaskie, baronet, born 21st April 1733; Alexander, who died young; John Anstruther, a colonel in the army, (who married Grissel Maria, daughter and heiress of John Thomson of Charleton in Fife, by Margaret, sister of Colonel James Paterson St Clair of Dysart, and has issue;) William Anstruther, a colonel in the army, who died in 1805; Philip; James, deceased; Catherine, deceased; Jean, deceased;

Mag. Sig. L. lxxi. No. 45.

Tweeddale. Christian, married to James Lumsdaine of Innergellie; Catherine.

Edin. Reg. 6. Lord *Gilbert*, born 6th November 1668.

7. Lord *William* Hay.

1. Lady *Margaret*, married to Robert, third Earl of Roxburghe, and had issue, and surviving him 71 years, died at Broomlands, near Kelso, 22d January 1753, æta. 96.

2. Lady *Jean*, married, contract dated 12th October 1693, to William, first Earl of March, and had issue; but no descendants of her body now exist.

XX. JOHN, second Marquis of TWEEDDALE, the eldest son, born 1645, was properly instructed at home, but did not complete his education by foreign travel, the prospect of marrying the daughter of the Duke of Lauderdale, at that time reckoned the greatest heiress in the kingdom, overruling every other consideration. Upon the invasion of Scotland by the Earl of Argyll, 1685, he was constituted colonel of the East Lothian regiment, raised to suppress the rebels; and at the revolution 1689, was sworn a privy councillor, and appointed sheriff of the county of Haddington. In the parliament 1695 he sat and voted as high treasurer of Scotland on the King's letter. On his father's death in 1697, he became second Marquis of Tweeddale, was continued a privy councillor by Queen Anne, who nominated him high commissioner to the session of parliament which met at Edinburgh 6th July 1704, wherein the famous "act for the se- "curity of the kingdom" received the royal assent 5th August following. On the prorogation of parliament, the Marquis went to London, where he met with a very gracious reception from the Queen, who was pleased to confer on him the appointment of high chancellor of Scotland, in room of the Earl of Seafield, 17th October 1704; but on a change of measures, the Earl of Seafield was reinstated in that office, 9th March 1705. The Marquis of Tweeddale, who was at the head of a strong party called the Squadrone Volante, from their sometimes supporting, and at other times opposing, the measures of the court, was however very active in promoting the union, to the success of which national measure his assistance materially contributed; and he was one of the sixteen representatives of the Scotish peerage chosen by parliament, 13th February 1707. After this he resided chiefly at his fine seat of Yester, where he died 20th April 1713, in his 68th year, and was privately interred with his ancestors there. A contemporary said of him, "is a great encourager and "promoter of trade, and the welfare of his "country. He hath good sense, is very "modest, much a man of honour, and hot "when piqued, is highly esteemed in his "country, and may make a considerable "figure in it now. He is named by the "Queen to be high chancellor. A short "brown man, towards sixty years old." Tweeddale. Crawf. Off. St. 245. Macky's Memoirs.

The Marquis married, at Highgate, 11th December 1666, Lady Anne Maitland, only child of John, Duke of Lauderdale, by whom he had issue, Lamont's Annals, MS.

1. *Charles*, third Marquis of Tweeddale.

2. Lord *John* Hay, an officer of approved bravery, who was appointed colonel of the second regiment of dragoons, or royal Scots greys, 7th April 1704; had the rank of brigadier-general; acquired great honour at the battles of Schellenberg, 1704, and of Ramilies, 1706, and died of a fever at Coutray, 25th August 1706. He married Lady Elizabeth Dalzell, only child of James, fourth Earl of Carnwath, without issue.

3. Lord *William* Hay of Newhall.

1. Lady *Anne*, third wife of William, eleventh Lord Ross, and had one daughter, Anne.

2. Lady *Jean*, married, 29th April 1697, to John, eighth Earl of Rothes, and had issue, and died at Leslie-house, 4th September 1731.

XXI. CHARLES, third Marquis of TWEEDDALE, the eldest son, succeeded his father 1713; was on the accession of King George I. appointed president of the court of police, and lord lieutenant of the county of Haddington. At the general election 3d March 1715, he was chosen one of the sixteen representatives of the Scotish peerage, but died 17th December following, leaving the character of a man of great ability, knowledge, and judgment. He married Lady Susan Hamilton, second daugh-

ter of William and Anne, Duke and Duchess of Hamilton. She was first married, in 1684, to John, second Earl of Dundonald, who died 16th May 1690; she died 7th February 1737, having had by the Marquis four children,

1. *John*, fourth Marquis of Tweeddale.

2. *James*, who died young.

3. Lord *Charles* Hay of Linplum, who served at the siege of Gibraltar, afterwards in Germany as a volunteer under Prince Eugene of Savoy. His first commission, that of ensign, was dated 18th May 1722; he obtained a troop in the ninth regiment of dragoons, 1729; was chosen Member of Parliament for the county of Haddington at the general election 1741; and was promoted to the command of a company in the third regiment of foot guards, in April 1743. At the battle of Fontenoy, 30th April 1745, Lord Charles Hay behaved gallantly, and was wounded. According to a French author, in the midst of that bloody engagement, the British and French officers *mutually saluted each* other, by pulling off their hats. The English being fifty paces distant from the French and Swiss guards, Charles Hay, captain of the English guards, steps out of the ranks; Comte d'Hauteroche, lieutenant of grenadiers, of the French guards, goes to meet him; "Gentlemen of the French guards," says the English captain, "fire!" "No, my Lord," answers the Comte, "we never fire "first." The English then gave a running fire; 19 officers and 380 soldiers of the French guards fell dead or wounded, and the Duc de Grammont, colonel of that regiment, was killed. Lord Charles Hay had the appointment of Aide-de-Camp to the King, 4th March 1749; succeeded to the estate of Linplum on the death of Sir Robert Hay, 1751; was constituted colonel of the 33d regiment of foot, 20th November 1752, and raised to the rank of Major-General, 22d February 1757. He sailed for America, 8th May 1757, second in command under General Hopson, and joined the Earl of Loudoun, commander in chief, who had under him 11,000 land forces, supported by 33 ships of war and 10,200 seamen. In place of proceeding to immediate action, this formidable armament was employed for several weeks sailing from New York to Halifax. A fort was built at the latter place for sham fights, part of the troops being employed in attacking, and part in defending the fort, till intelligence should be received of the strength of Louisbourg. The spirit of Lord Charles Hay, a hero of Fontenoy, could not brook these inefficient operations, and he condemned them as expending the wealth of the nation, and keeping the courage of the soldiers at bay, when they ought to be attacking the enemy in reality. A council of war being called 31st July 1757, it was resolved to order Lord Charles Hay under arrest for his reflections on the conduct of affairs. He was sent home a prisoner, but his trial did not come on till 12th February 1760, when it commenced before a general court-martial at the Horse Guards, London. The Court adjourned for some time to wait the arrival of witnesses from America, and the trial was finished 4th March. The result was not made public; the case was laid before the King, but no decision appears to have been given, Lord Charles Hay dying at London on the 1st of May 1760, unmarried.

Fantin, Hist. de France, IV. 47.

4. *George*, sixth Marquis of Tweeddale.

1. Lady *Susan*, died at Edinburgh, 31st November 1739.

2. Lady *Catharine*, died at Edinburgh, 1st December 1773.

3. Lady *Anne*, died at Edinburgh, 24th May 1772.

4. Lady *Mary*, born 29th December 1700, died young. All unmarried. Edin. Reg.

XXII. JOHN, fourth Marquis of TWEEDDALE, the eldest son, succeeded his father 1715, studied the civil and Scotish law, was appointed one of the extraordinary lords of session, 7th March 1721, and was chosen one of the sixteen representatives of his order 1722; re-chosen 1727. Attaching himself to Lord Carteret, he was not returned at the general elections 1734, and 1741; but was elected on a vacancy 1742, and rechosen 1747, 1754, and 1761, distinguishing himself much in Parliament. On the resignation of Sir Robert Walpole, in February 1742, the Marquis of Tweeddale was named one of the cabinet ministers; the office of principal secretary of state for Scotland, was revived, and con-

Tweeddale.

ferred on him, and he was also appointed principal keeper of the signet; but resigned both these places in January 1746, when the former was abolished.* In June 1761, he had the appointment of justice-general of Scotland, in room of Archibald Duke of Argyll deceased; but did not long enjoy that office, dying at London, 9th December 1762, being then a privy councillor, an extraordinary lord of session, one of the sixteen representatives of the Scotish peerage, and governor of the bank of Scotland. He was the last who held the office of extraordinary lord of session, as that order expired with him, in pursuance of an act of Parliament, providing, that when the places of the four extraordinary lords of session should become vacant, no nomination should be made to supply such vacancy.

Stat. 10th Geo. I. c. 19.

The Marquis married, at London 24th May 1748, Lady Frances Carteret, daughter of that well known statesman and accomplished scholar, John, Earl of Granville. She survived him twenty-six years, and died at Ham, in Surry, 25th December 1788. She bequeathed her fortune to her grandchild, Miss Frances Hay, and gave directions to be buried as near to her husband as possible, with her wedding ring on her finger, and his letters in the coffin with her. They had issue,

1. *George*, Earl of Gifford, born 1751, died at Yester, 11th August 1752.

2. *George*, fifth Marquis of Tweeddale.

1. Lady *Frances*, born at London 19th March 1749, died at Edinburgh, 2d March 1757, æta. 8.

2. Lady *Susan*, born at Edinburgh, 2d March 1750, died at Yester, 27th June 1757, æta. 8.

3. Lady *Grace*, born at London, 11th May 1752, died at Newbury in Berkshire, 26th August 1771, æta. 20, unmarried.

4. Lady *Catherine*, born at Yester, 7th June 1753, married at Chiswick, 23d April 1774, to Captain William Hay of the first regiment of foot guards, at that time presumptive heir of the Tweeddale title and estate. She died at Bristol hot-wells, 11th July 1776, æta. 24, leaving one daughter, Frances, heiress of her grandmother the Marchioness of Tweeddale's large personal property, married in 1797 to Charles Manners of South-witham in the county of Lincoln, nephew of the Earl of Dysart, and died 29th March 1801, æta. 26, leaving two sons and a daughter.

Tweeddale.

XXIII. George, fifth Marquis of Tweeddale, the only surviving son, born at London, 12th July 1758, succeeded his father 1762, and died at Gifford Lodge, 4th October 1770, in the 13th year of his age, when the title devolved on his uncle.

XXII. George, sixth Marquis of Tweeddale, who was appointed one of the gentlemen of the Board of Police, in June 1755, and resigned that office in 1771. He purchased the estate of Newhall, in the county of Haddington, from the creditors of his cousin John Hay; and in 1760, on the death of his brother Lord *Charles Hay*, succeeded to the estate of Linplum, in the same county, in virtue of an entail executed by Sir Robert Hay, in 1748. He became sixth Marquis of Tweeddale 1770; and both before and after his succession to the honours, pursuing a rigid system of œconomy, accumulated a very ample fortune, which he bequeathed to trustees, to be laid out in the purchase of lands, to be entailed on the title of Tweeddale. The Marquis died at Newhall, 16th November 1787, and was succeeded in honours and estates, (excepting Newhall, which he left to his cousin Edward Hay, and Linplum, which was adjudged to Robert Hay of Drumelzier, after a competition in the Court of Session and House of Lords, betwixt him and Frances, daughter of Major William Hay,) by his cousin George Hay, descended from,

XXI. Lord William Hay of Newhall, third son of John, second Marquis of Tweeddale. Betaking himself to the military profession, he had the rank of Brigadier-General, 1st January 1710, was in the first regiment of foot guards, of which he was first major in 1718, afterwards lieutenant-colonel; and died 31st October 1723. He married Margaret, only child of John Hay, eldest son and heir apparent of Sir

* Under the act for abolishing heritable jurisdictions, 1747, the Marquis was allowed for the bailiary of regality of Dunfermline, L. 2672, 7s. in full of his claim of L. 8000.

Tweeddale. James Hay of Linplum, and by her, who was born 30th June 1686, and died at Edinburgh, in October 1753, æta. 68, had issue.

1. *John* Hay of Newhall.

2. *James* Hay, one of the society of writers to the signet, Edinburgh, who died at Newington, 31st May 1779, leaving issue.

3. *Richard* Hay, who succeeding to the estate of Newton, in the county of Haddington, assumed the name and arms of the antient family of Newton of Newton, and died there 18th June 1776. He had several daughters, of whom Jean was married, 13th July 1780, to James Walker of Dalry, W. S. and two sons, 1. Richard Hay Newton of Newton, who died unmarried, 9th October 1793. 2. William Hay Newton of Newton, who married Miss Alicia Forster of Berwick, and has five sons.

Edin. Reg. 4. *George Lewis*, born 16th February 1716.

5. *David*, born 16th January 1723.

6, *Alexander*, a twin with David.

1. *Susan*, married 22d August 1742, to John Scott of Malleny, in the county of Edinburgh, and had issue. Major-General Thomas Scott of Malleny, born 28th December 1746, is her eldest surviving son.

2. *Jane*, married to Archibald Murray of Murrayfield, in the county of Edinburgh, second son of Alexander Murray of Cringalty, in the shire of Peebles, and was mother of Alexander Murray of Henderland, M. P. a lord of session and justiciary, and Susan, the wife of Sir Hay Campbell of Succoth, baronet, late lord president of the court of session.

3. *Mary*, died at Edinburgh, 6th April 1766.

4. *Elisabeth*.

XXII. John Hay of Newhall, the eldest son, succeeded his father 1723, and died at Garstang in Lancashire, 10th December 1755; his relict died at Edinburgh, 22d September 1804. They had issue,

1. *John*, who died young.

2. *William* Hay, who had an ensign's commission in the third regiment of foot guards, 1767, a lieutenancy in the same 1772, the majority of the south fencible regiment, 1778, and died at Yester, 23d July 1781. He married, first, at Chiswick, 23d April 1774, Lady Catherine Hay, only surviving child of John, fourth Marquis of Tweeddale, by whom he had a daughter, Frances, married to Charles Manners, Esq. as already mentioned. Major William Hay, married, secondly, 6th March 1779, Mary, only daughter of William Nisbet of Dirleton, in the county of Haddington, and by her, who afterwards became the second wife of Walter Campbell of Shawfield, and inherited Pencaitland, on the death of her brother, John Hamilton, 25th December 1804, had an only child, George Hay, presumptive heir of the title and estates of Tweeddale, who died at Yester 28th April 1783, in early youth. Tweeddale.

3. *George, seventh Marquis of Tweeddale.*

4. *Edward* Hay of Newhall, now Edward Hay Mackenzie of Cromarty, who had an ensigncy in the 65th regiment of foot, 1775, in the third regiment of foot guards, 1777, a lieutenancy in the same, 1780, and quitted the army 1788. He married, at Edinburgh, 3d May 1790, the Hon. Maria Murray, eldest of the two daughters of George, sixth Lord Elibank, by Lady Isabella Mackenzie, eldest daughter of George, third Earl of Cromarty, and at length heiress of the noble estate of that family. Their issue are, 1. Dorothea. 2. Isabella. 3. Georgiana. 4. John Hay Mackenzie.

1. *Dorothea*, married 20th June 1780, to James Hay of Belton, and has issue.

2. *Margaret*, married to Allan Macdougal of Gallanich, in Argyllshire, W. S. and by him, who died at Polquhairn 24th December 1807, had issue. Their second daughter, Catherine, was married at Yester, 19th May 1797, to Henry Scott of Belford, and has an only daughter, born 14th February 1798, heiress of Belford.

XXII. George Hay, the third but eldest surviving son, was an officer in the naval service of the East India Company, and succeeded as seventh Marquis of Tweeddale 1787. He was chosen one of the sixteen representatives of the Scotish peerage, at the general election 1796, rechosen in 1802, and had the appointment of lord lieutenant of the county of Had-

Tweeddale. dington. He married, at Edinburgh, 18th April 1785, Lady Hannah Charlotte Maitland, fourth daughter of James, seventh Earl of Lauderdale. They went abroad in 1802, on account of the state of his health, and unfortunately happened to be in France, at the commencement of hostilities 1803, when the English were detained by Bonaparte. The Marchioness died at Verdun, 8th May 1804, and the Marquis soon followed, dying there 9th August 1804, æta. 51. Their bodies were deposited in the glacis of the citadel of that place; from whence they were taken up, sent to Scotland, and buried at Yester, 11th November 1806. They had issue,

1. *George*, eighth Marquis of Tweeddale.

2. Lord *James* Hay, a lieutenant in the first regiment of foot guards, serving in Spain under the Earl of Wellington.

3. Lord *John* Hay, a lieutenant in the royal navy, who lost his left arm on board the Seahorse frigate, in the Dardanelles, in August 1807, by a shot from a battery of only one gun, while pursuing some small coasting vessels that had taken shelter under the land.

4. Lord *William*, who died at Yester, 23d September 1778.

5. Lord *Edward*.

6. Lord *Thomas*.

1. Lady *Mary Turner*.

2. Lady *Dorothea Frances*, married at London, 23d October 1809, to John Henry Ley, Esq.

3. Lady *Hannah Charlotte*.

4. Lady *Elisabeth*.

5. Lady *Jane*.

6. Lady *Julian Tomlinson*.

XXIII. GEORGE, eighth Marquis of TWEEDDALE, the eldest son, born 1st February 1787; succeeded his father 1804, entered into the army the same year; was aide-de-camp to Viscount Wellington at the battle of Busaco, 27th September 1810, where he was wounded; and was promoted to a majority in the 41st regiment of foot, 18th May 1812. Tweeddale.

TITLES. — George Hay, Marquis of Tweeddale, Earl of Tweeddale and Gifford, Viscount of Walden, and Lord Hay of Yester.

CREATIONS.—Lord Hay of Yester, 29th January 1487-8. Earl of Tweeddale, by patent dated at Newcastle, 1st December 1646, to the first Earl and his heirs male for ever. Marquis of Tweeddale, Earl of Gifford, Viscount of Walden, and Lord Hay of Yester, by patent dated at Kensington, 17th December 1694, to the first Marquis, and his heirs male whatsoever.

ARMS.—Quarterly, 1st and 4th azure, three cinquefoils, argent, for Fraser. 2d, and 3d gules, three bars, ermine, for Gifford of Yester. Over all, the paternal coat of Hay, argent, three inescutcheons, two and one, gules.

CREST.—A goat's head erased, argent, horned, Or.

SUPPORTERS.—Two bucks, proper, attired, Or, collared, azure, the collars charged with three cinquefoils, argent.

MOTTO.—*Spare nought*.

CHIEF SEAT.—*Yester House*, in the county of Haddington.

WEMYSS, EARL OF WEMYSS AND MARCH.

Wemyss.

THE district of Wemyss-shire, on the northern bank of the Forth, in the county of Fife, gave name to this noble branch of the Macduffs, Earl of Fife, of whom the Earls of Wemyss are now the male representatives.

I. HUGO, second son of Gillmichael, fourth Earl of Fife, got from his father the lands of Wemyss-shire, some lands in Lochoreshire, and in the parish of Kennoway, all holding of the Earl and his successors, Earls of Fife. He also obtained from his brother Duncan, the fifth Earl, some lands in the parish of Markinch, with the superiority of the patronage thereof. The chartulary of Dunfermline contains a precept directed to Duncan, Earl of Fife, and Hugo, son of Gillmichael, in the reign of Malcolm IV., who died 1165*. His son,

Chartul. of St Andrews and Dunfermline, 187. D.

* According to a manuscript account of the family, in the possession of the Earl of Wemyss, the first of the house of Wemyss was Michael, second son of Duncan, fifth Earl of Fife, who died 1154. This Michael Wemyss witnessed a charter of confirmation of King William to the abbacy of Aberbrothock, dated at Kincardine, 8th December 1169, in the 5th year of his reign, [1170] in the Advocates' Library. He had two sons, Michael, his successor, and Robert, who was the King's chamberlain, as Robert de Wemyss, Camerarius Regis, witnessed a confirmation of a charter of donation of the lands of Leys, in the Carse of Gowrie, by Sir Gilbert Hay of Errol, to his brother William Hay, dated at Roxburgh, 29th April, regni 2, (1216.) Michael, the eldest son, under the designation of Michael de Wemyss, miles, witnessed, along with Andrew, Bishop of Moray, and William de Haia de Locherward, knight, a charter of Malcolm de Moravia, granting to William de Moravia the lands of Lamabude. The charter has no date, but Andrew was bishop of Moray from 1222 to 1242, and it was probably granted soon after his consecration. This Michael had two sons, 1. David; and, 2. Dominus Hugo de Wemyss, witness to a charter of Adam, abbot of Aberbrothock, 27th August 1242 (Chartul. Aberbr.) David Wemyss, the eldest son, was sheriff of the county of Fife, as appears from a precept of William, Earl of Ross, justiciary of Scotland north of the Forth, dated 7th October, 25th Alexander II. (1239) commanding David de Wemyss, Vicecomes de Fife, to pay the eighth part of the amerciaments of Fife and Fothrife, imposed in the justice aire at Coupar, to the abbot and convent of Dunfermline, according to their rights (Chartul. Dunf.) In the chartulary of the priory of St Andrews, is a charter wherein John, prior of St Andrews, gives to John de Fikyle the lands of Calcmane, witnessed Domino David de Wemyss, Michaele de Wemyss, filio ejusdem David, David del Wemyss de Cameron. This charter has no date, but, from the succession of John to the priory, it was probably granted in 1258.

The first time I find the name of Wemyss mentioned, is in a copy of a charter in the custody of the Earl of Wemyss, in which Joannes de Ainsley dat Joanni de Wemyss, et Annabellæ filiæ suæ, sponsæ Joannis de Wemyss, terram suam de Cameron usque le Harlaw, quæ est divisio inter terram Domini Michaelis de Wemyss et Cameron, and is said to be dated 1165. This charter is inserted in Sir George Mackenzie's MS. of antient charters. I have found by one of the witnesses, the Bishop of Dunkeld, that the charter is not near so old.—Thus far the manuscript account of the family.

II. HUGO, filius Hugonis filii Gillmichael, Comitis de Fife, confirmed to the canons of St Andrews the church of Markinch, with a toft, and the teinds belonging to the same church, for the welfare of his soul, the confirmation being witnessed by Nicolaus the chancellor, who died 1171, and Richard, Bishop of St Andrews, who died 1173. His son,

Wemyss. Chartul. of St Andrews, 302. D.

III. JOHN, had the designation of de Methkill, a port in Wemyss-shire, and, under that designation, witnessed a convention betwixt the prior and archdean of St Andrews in 1212. Dominus Johannes de Methkill, miles, gave to the church of the Holy Trinity of Soltray, and to the master and brothers serving God there, all the right that he had in the church of St Mary of Wemyss, for the welfare of his soul, of the souls of Earl Duncan, and of his father and mother. This grant was made towards the end of the reign of William I.; and in the reign of his successor Alexander II., John of Methkill assumed the name of Wemyss. He died betwixt 1232 and 1236, leaving three sons,

Ibid. 382. D.

Chartul. of Soltray. D.

1. *Michael.*

2. *Hugo* de Wemyss, mentioned in the chartulary of Aberbrothwick 1242.

3. *David,* designed David de Wemyss,

Chartul. of St Andrews, 471. D.

Wemyss. Dominus de Cambrun, in a charter of John Whyt, prior of St Andrews, who died 1258.

IV. MICHAEL DE WEMYSS, the eldest son, confirmed to the monastery of Soltray his father's donation of the patronage of the church of Wemyss, and died before 1260, leaving a son,

Chartul. of St Andrews, 471. D.

V. Sir JOHN DE WEMYSS, who renewed the donations of his predecessors to the monastery of Soltray, confirmed by Gamelin, Bishop of St Andrews, the Monday after the feast of the Epiphany, 1261, ecclesiam de Wemyss quam quidem Dominus Johannes de Wemyss, filius Michaelis de Wemyss, tanquam verus patronus ejusdem, eis confirmavit. Fordun mentions a dream which quidam miles strenuus, Johannes Wemys nomine, vi quotidianarum febrium vehementer fatigatus, had of the victory by the Scots over the Norwegians at Largs in 1263, just before he received the news of that battle. He had two sons,

Chartul. of Soltray, 1. D.

Fordun, II. 97.

Prynne, III. 661.

1. Sir *Michael*.

Wyntoun, II. 13.

2. Sir *David* de Wemyss, who, according to Wyntoun, was sent to Norway in 1290 to bring over Margaret Queen of Scotland from that country. David le Wymes swore fealty to Edward I. 1296.

Fordun, II. 136.

V. Sir MICHAEL DE WEMYSS, who, according to Fordun, was sent over to Norway with Michael Scot to bring home Queen Margaret in 1290. In a manuscript account of the family, it is said the commission given by the states of Scotland to Michael de Wemyss de eodem, and Michael Scot of Balweary, knights, to that effect, is recorded in the Cod. MSS. de Scona sub fine*. Sir Michael de Wemyss was one of the nominees on the part of Baliol, 1292; was present when Baliol did homage to Edward I., 26th December 1292; entered into an indenture, still extant in the family archives, with Michael Scot of Balweary, 1294. Sire Michel de Wymes del Counte de Fyf swore fealty to Edward I. 1296; and he witnessed the act of settlement of the crown of Scotland by King Robert I. at Ayr in 1315. Duncan, Earl of Fife, granted a charter to John Clephane of Carslogie, about 1316, witnessed by Sir Michael de Wemyss, David de Wemyss his son and apparent heir, and Michael de Wemyss, junior, his grandson. Dominus Michael de Wemyss, senior, and Dominus David de Wemyss, filius ejus, are among the perambulators of the marches of some lands of the monastery of Dunfermline in 1319. Sir Michael died soon afterwards, leaving a son,

Prynne, III. 662.

Fœdera, II. 553, 594.

Wemyss.

Carta penes Carslogie. D.

Chartul. of Dunfermline. 489.

VI. Sir DAVID DE WEMYSS, who signed the letter to the Pope asserting the independency of Scotland* 1320. He, with consent of his son Michael, confirmed to the monastery of Soltray all the donations made by his predecessors, and added several other parcels of land to them. He married, first, Annabella, daughter of Sir William St Clair, as appears from a charter of several lands in Lochorshire, granted by David de Wemyss, son and heir of Michael de Wemyss, to Annabella, daughter of Sir William St Clair his wife, and the heirs procreated betwixt them; secondly, Marjory, daughter of Walter de Ramsay. A charter of King Robert I., granted in the 23d year of his reign, 1328-9, confirmed the lands of Glassmont, in the tenement of Kinghorn, to David de Wemyss and Marjory Ramsay his wife. He had a son,

Fordun, II. 275.

Chartul of Soltray. D.

In Arch. Fas. D.

Ibid.

VII. Sir MICHAEL DE WEMYSS, who, betwixt 1328 and 1332, confirmed all the donations made by his father and predecessors to the religious of St Andrews and Soltray, and obtained a charter from Duncan, Earl of Fife, in 1333, of Easter Muchie, Westerdron, &c. in which he is designed Michael de Wemyss, filius et hæres quondam Domini David de Wemyss, militis. He, with his son David, were in the forces of Edward Baliol and the English that besieged Lochleven, 1335. Edward III., on the 24th of March 1336, ordered L. 40 to be paid to Michael de Wymes, knight. He died 1342, leaving three sons,

Carta penes Carslogie, and Book of Charters, Adv. Lib. Edin. fol. 36. D.

Chartul. of Soltrey, 23. D.

In Arch. Fas. D.

Fordun, II. 313.

Fœdera, IV. 694.

1. Sir *David* de Wemyss, sheriff of the county of Fife; a charter to the mo-

* In the first edition it is mentioned, that a silver bason, given on this occasion by the King of Norway, is still preserved in the family.

Wemyss.

nastery of Inchcolm, 1351, was witnessed by David de Wemyss, Vicecomes de Fife; another of Duncan, Earl of Fife, was witnessed by David de Wemyss, miles, Vicecomes de Fife; likewise a charter of Dame Helen Maxwell, domina de Kelly, to John Strang of Easter Pitcorthie, confirmed by King David II. 1358-9. He had a son, Sir David. Monsieur David de Wemys was one of the guarantees of the treaty for the release of that monarch, 3d October 1357. He had a son, Sir David de Wemyss, one of the hostages for the ransom of King David II., specified in the treaty of 13th July 1354, as le filz et heir Mons. David de Wemys, *and sent* in that capacity to England 1357, being designed David filz et heir Seigneur David de Wemmys. David Wemes, hostage, was in the custody of the sheriff of Northumberland, 10th November 1358. He resigned his estates into the hands of his superior, Robert, Earl of Fife, in favour of his heir male Sir John Wemyss of Reres and Kincaldrum, the resignation being executed in the church of Wemyss 1373; and he died in 1375, leaving a daughter, Margaret, married to Sir Patrick de Inchmartine, and by him had a daughter, Isabel de Inchmartine, heiress of that barony, who married Sir Alan Erskine, and had two daughters, Margaret, married to Sir John Glen; and Isabel, married to Sir John Wemyss of Reres, the heir male of the family.

Chartul. of Inchcolm, 5. D.

Carta in Pub. Arch. D.

Fœdera, VI. 48.

Ibid. V. 792. VI. 35, 48, 109.

In Arch. Fam. D.

Crawf. Off. St. 246.

2. Sir *John.*

3. *Michael.*

VIII. Sir JOHN WEMYSS, the second son, got from his father the lands of Reres, and part of Lochoreshire, and obtained from Sir Alexander Abernethy a grant of the barony of Kincaldrum. He died in 1357-8, leaving a son,

Carta in Pub. Arch. D.

IX. Sir DAVID WEMYSS of Reres and Kincaldrum, who died before 1373, leaving a son,

X. Sir JOHN WEMYSS of Reres and Kincaldrum, upon whom Sir David de Wemyss settled his estate in 1373. John de Wemys made a grant of the half of the mill of Lochore to Andrew de Valoniis, knight, confirmed by King Robert II., 5th November 1373. He married Isabel, one of the daughters and coheirs of Sir Alan Erskine of Inchmartine, and had a grant from Sir Alan, to his lovit son John of Wemys of that ilk, knight, of the lands of Pitlessie, &c. 5th December 1380. He had a charter from King Robert III., confirming all those grants which Robert, Earl of Fife had made dilecto nostro Johanni de Wemys, militi, of the lands of Reres, and of all other lands which he held of the Earl of Fife within the barony of Reres; of the lands of Myrcarny, Newtoun, Markinche, Nethir Cameronne, Westir Tarvate, and Tullybrek; also the grants which the deceased Alexander de Abirnethy, knight, had made to the deceased John de Wemys, knight, grandfather of the said *John*, of the lands of Kincaldrum; likewise the grants which Alan de Erskyne, Robert de Levyngistoun, and John de Bosevil, knights, had made to the said John de Wemyss, of the lands of Rate, Glennystoun, and Polgulde in Fife, dated 16th October 1392. Of the same date the King granted to Sir John de Wemys and his heirs, special licence, situandi, construendi, et ædificandi, unum castrum cum turribus, in terris suis de Reres, ad formam fortitudinem et summitatem prout sibi melius videbitur expediens. Two missing charters of Robert III. are thus noted; to John Weems of the third part of the barony of Leucheris; the lands of Skathachy, Pettincreiff; half lands of Wolmanstoun, Bredles; third part of Bowlands; third part of Purske, Petlowny, Baloyngy, with the milne; Brekmoune, Logy, Wester Cruvy; third part of Struburne, Fordall, Wester Forthey, Kulbakie, in the barony of Leucheris; and to John *Weems*, of the third part of the barony of Lucheris in Fife, which was John Hayis of Tullibothe; the third part of the said lands; the lands of Pettincreife, Scathochy, Wolmestoun, Burdles, and Craill, by resignation of John Weems, fra infeftment. He founded a chapel at Reres, with six marks of money furth of his lands of Logymurtache, six marks furth of the lands of Pursk, in the barony of Leuchars [in 1404.] John de *Wernys* de Scotia had a safe conduct into England, 15th May 1412. John de Wemis de Scotia had a safe conduct from England

Wemyss.

Book of Orig. Writs, penes Macf. and Autogr. apud Wemyss. D.

Reg. Mag. Sig. 214.

Robertson's Index, 138.

Ibid. 150.

Fœdera, VIII. 734.

Wemyss.

into Scotland, and to return from thence to England, to treat about the release of James I., 16th April 1413. John de Wemys de Rerase, chivaler, had a safe conduct to meet James at Durham, 13th December 1423; and he died in 1428. By Isabel Erskine his wife he had issue,

Fœdera, IX. 5.

X. 309.

1. Sir *David.*

2. *Duncan* de Wemyss, who, in 1402, got from his father the barony of Reres; was one of the supplementary hostages for the ransom of King James I. sent to England 20th June 1432, being designed Duncanus Wemys, Dominus de Reres; and was still in the Tower of London as such, 20th November 1438, when a servant of Duncan Wemys had a safe conduct to him, with money for his expences. He had a son, Michael Wemyss of Reres, but his male line is now extinct, and Reres went with an heiress to John Forbes of Pitsligo.

Ibid. X. 509, 712.

3. *Alexander*, who got from his father the lands of Kilmanie, by charter dated 10th February 1407, and died 1418. He was father of John de Wemyss of Kilmany, who got from Henry Wardlaw, Bishop of St Andrews, a grant to him and Jonet de Wardlaw his wife, of the office of constable of the castle and city of St Andrews, with the lands of le Mureton and Lathocker, confirmed by charter under the great seal, 10th August 1440. He was ancestor of the Wemyss of Lathocker, whose descent is detailed in Douglas's Baronage 553 to 555.

Dougl. Bar. 553.

Mag. Sig. L. iii. No. 179.

1. *Elisabeth*, married, contract dated at Foulis, 31st August 1418, to Andrew, second Lord Gray, and had issue.

Penes D. Gray.

2. *Eupheme*, married, contract dated 1428, to Sir William Livingston of Drumry.

XI. Sir David de Wemyss the eldest son, is designed Davy of the Wemyss, son and apparent heir of Sir John of the Wemyss, lord of Reres, and Dame Isabel of the Wemyss, in an obligation to resign to Andrew Gray and Elisabeth Wemyss his sister, and their heirs, twenty pounds worth of lands by the year, lying in Strathardel in Perthshire, which lands were the lords of Inchmartine his forefathers, and to which Isabel his mother succeeded through line of heretage, 24th August 1418. He died 1461, leaving by his wife Christian, daughter of Sir William Douglas of Lochleven, by Lady Elisabeth Lindsay, daughter of David, first Earl of Crawford, by Catherine, daughter of King Robert II., a daughter, *Eupheme*;—and two sons,

Ibid.

Wemyss.

1. Sir *John.*

2. *David.*

XII. Sir John de Wemyss of Wemyss, the eldest son, under the designation of Johannes de Wemyss de eodem, miles, granted a charter of half of the lands of Inchmartin to David Ogilvy, in excambion for the ninth part of the lordship of Wemyschere, three fourths of the town of Drone in Fife, and one sixth of Elchock, 15th May 1461. John Wemys de eodem, miles, was one of the conservators of a treaty with the English, 20th September 1484, and died in the 86th year of his age in 1502. He married Margaret, daughter of Sir Robert Livingston of Drumry, with whom he got several lands, and had a son,

Mag. Sig. L. vii. No. 54.

Fœdera, XII. 241.

Sir *John*;—and a daughter,

Grizel, married, contract dated 1464, to David Boswell of Balmuto in Fife, and had issue.

XIII. Sir John Wemyss of Wemyss, the eldest son, had a charter to John de Wemyss, son and heir apparent of John de Wemyss de eodem, knight, of the lands of Wardropstoun, in the shire of Kincardine; Balhawell, in Forfarshire; Strathardill, Inchmartin, Petmyddle, Kynnard, one sixth of Elchok, one sixth of Balbrahan, in Perthshire; three fourths of Drone and Wemyss, on the resignation of his father, half of Elchok, half of Balbrahan, half of Ardargy, the fourth of Drone, the lands of Tullibrek, Littletone, Cameron myln, le Halch, Wemes, Tarvet, and Petconirthy, on the resignation of Margaret Levingston, daughter of the deceased Robert Levingston of Drumry, knight, and now wife of the said John de Wemyss, knight, 25th July 1468. Of the same date, John de Wemyss had a charter to himself and Christian Abernethy his wife, of the lands of Strathardel, on his father's resignation, and he died in 1506. By his first wife, Christian, daughter of Laurence, Lord Abernethy of Salton, he had issue,

Mag. Sig. L. vii. No. 50, 51.

1. Sir *David.*
2. *Gawin.*
3. *Charles.*
4. *Thomas,* ancestor of the Wemyss of Winthank.

Keith's Catal. 165.

5. *John,* who married a daughter of Sir John Arnot of Arnot, and was father of Henry, Bishop of Galloway, who, however, is called frater naturalis regis, in charters.

Crawf. Peer. 389.

Daughter, *Agnes,* married to Andrew Kynnynmound of Kynnynmound, charter 1482.

In Pub. Arch. D.

He married, secondly, Helen Dunbar, designed relict of Sir John Wemyss of Wemyss, in a charter, 1507, without issue.

Mag. Sig. L. xii. No. 32. L. xiii. No. 36. L. xvii. No. 37.

XIV. Sir DAVID WEMYSS of Wemyss, the eldest son, had charters to David Wemyss, son of John Wemyss de eodem, knight, of Auchleven, Ardune, and Harlaw, in Marr, from his father, 12th July 1488, and to David Wemyss, son and heir apparent of John Wemyss of Strathardill, knight, and Eufamia Lundy his wife, of the lands of Drone, 11th May 1493. He was served heir of his father in September 1508, had a charter to David Wemyss de eodem, knight, of Wemyss-schyre, Littleton, Tullibrek, Camroun, Wester Tarvit, Wester Drone, Hill Drone, &c. in Fife, one third of Strathardill, half of Ardargy, the lands of Kynnard in Perthshire, and Balhawell in Forfarshire, 28th August 1511. He fell at the battle of Flodden, 9th September 1513. He married, first, Elisabeth, daughter of Lundy of Lundy, and had a daughter, *Elisabeth,* who died unmarried, and three sons,

1. Sir *David.*
2. *James.*

L. xxviii. No. 518.

3. *Robert,* whose son, David Wemyss of Caskyberry, had a charter of the lands of Leuthrisk and Moncoutymyre in Fife, 24th August 1542, to David Wemyss, son of the deceased Robert Wemyss, brother of David Wemyss of Wemyss. He was killed at the battle of Pinkie, 10th September 1547, as Robert Wemyss was served heir of David Wemyss of Caskyberry, his brother, qui obiit in conflictu de Pinkencleuch, in two sixth parts of three quarters of the lands of Eister Lathrisk and Moncoutyemyre, 28th November 1548.

Inq. Ret. i. 54.

He married, secondly, Janet Gray; she had a charter to Janet Gray, Lady Wemyss, of Torsoppy in Perthshire, 24th February 1523-4; and by her had a son,

Mag. Sig. L. xxi. No. 148.

John, who obtained from his father the lands of Kynnard and Balhawell. [qu. ?]

Mag. Sig. L. xix. No. 91. L. xxiii. No. 203. L. xxvi. No. 56, 421.

XV. Sir DAVID WEMYSS of *Wemyss,* the eldest son, had a charter to David Wemyss, son and heir apparent of David Wemyss of Wemyss, knight, and to Catherine Sinclair his wife, of Drone, in Fife, and Ballmald in Perthshire, from his father, 22d August 1512; was served heir of his father 1514; had charters of Wemyss-schyre, Elchok, Balbrahan, Strathardell, Ardargy, Kynnard, and Balhawell, 24th June 1530; of part of Lathrisk, 26th December 1537; of Wester Raith, Polguild, and Glennystoun, in the lordship of Lochquhorschyre, 28th March 1540, and died in May 1544 *. He married, first, Catherine, eldest daughter of Henry, Lord Sinclair, by whom he had issue,

1. *David,* who had a charter to David Wemyss, son and heir of David Wemyss de eodem, of the lands of Elchok, Balbrahan, and Craigtoun, 29th August 1541, and died before his father without issue.
2. Sir *John.*
3. *James,* who married Janet Wardlaw, heiress of Caskyberry. From him descended Sir James Wemyss of Caskyberry, general of the artillery in the reign of King Charles I., who was deprived of his office by parliament for his concern in the engagement to rescue the King, 1648; he invented the leather guns for the field service, and was father of Sir James Wemyss of Caskyberry, created Lord Burntisland for life, 15th April 1672, husband of Margaret, Countess of Wemyss, and father of the third and succeeding Earls of Wemyss.

Daughter, *Margaret,* married to James Wemyss, brother of the Laird of Pittencrieff.

He married, secondly, Mariota, daughter

* On 3d August 1547, a legitimation passed the great seal, of a natural son of the *deceased* David Wemyss de eodem. Mag. Sig. L. xxx. No. 141.

Wemyss.

of Sir John Towers of Innerleith, by whom he had a son,

Captain *David* Wemyss, who got from his father the estate of Strathardel, and had a charter to David Wemyss, brother of John Wemyss of Wemyss, of the lands of Blair de Forth, and part of Striarton in Perthshire, 10th January 1553-4, ancestor of the Wemyss of Pitkennie.

Mag. Sig. L. xxxii. No. 631.

He had also a daughter, *Grizel*, married, first, to Patrick Kinninmonth of Kinninmonth; secondly, to David Ramsay of Brackmont.

XVI. Sir John Wemyss of Wemyss, the eldest surviving son, had a charter of an eighth of Wester Wemyss, Elchok, and Balbrahan, from David Wood of Craig, 2d May 1546; of Cameron, 4th April 1548; of Easter Elcho, from David Wemyss his brother, 3d December 1552; of Colliestoun in Fife, 9th December 1560; and of Maw in the same county, 23d August 1564. He repulsed the English when they landed in Fife 1547, killing above 700 of them. When the Queen Regent proposed in parliament in 1555 to register the value of the lands in the kingdom, to impose a tax on them, and to apply that revenue for the maintenance of a body of troops in constant pay, Sir John Wemyss and about 300 more landed gentlemen, repaired to the Regent, and represented their sense of the intended innovation, with such manly and determined boldness, that the measure was abandoned. He was constituted lieutenant of Fife, Kinross, and Clackmannan, by commission from Francis and Mary, dated 9th January 1559, entered into the association in support of Queen Mary at Hamilton, 8th May 1568, and died at Elcho in January 1571-2. He married, first, in 1530, Margaret, daughter of Sir Adam Otterburn of Redhall, King's advocate, by whom he had issue,

L. xxix. No. 336. L. xxx. No. 213, 616. L. xxxi. No. 496. L. xxxii. No. 884.

Lesly.

Commission, penes Wemyss. D.

1. Sir *David*.

2. *John* de Wemyss, who signalized himself in the wars abroad, settled at Brescia, where he married a lady of rank and fortune, and was ancestor of Count Wemyss, and other families of that name in Italy.

MS. transmitted by Count Wemyss to the Earl in 1734. D.

1. ———, married to Sir David Barclay of Cullairny.

2. *Elisabeth*, married to David Balfour of Montquhany.

Wemyss.

3. *Agnes*, married to Sir John Ayton of Dunmore.

4. *Eupheme*, married to Sir David Carnegy of Coluthie, and was mother of the first Earl of Southesk.

He married, secondly, in 1558, Janet, daughter of Alexander Trail of Blebo, and had issue,

1. *Gavin* Wemyss of Powguild, who married Catherine Wemyss, heiress of Winthank, and was ancestor of the Wemyss of Winthank. One of his descendants, James Wemyss of Winthank, born in the beginning of 1696, died in March 1793 in his 98th year, retaining, in extreme old age, the same use of all the mental faculties, which had been the possession and enjoyment of youth and manhood, and had never, in the course of his long life, been confined to his bed by sickness, till four days before his death.

Stat. Acc. XVII. 157.

2. *Janet*, married to Andrew Fernie of Fernie.

XVII. Sir David Wemyss of Wemyss, the eldest son, had a charter of the lands of Newton of Markinch, 27th September 1574, and died in 1591. He married Cecilia, third daughter of William, second Lord Ruthven; she had a charter from her husband of Easter Elcho, Ardargy, &c. in Perthshire, 24th July 1573; and they had issue,

Mag. Sig. L. xxxiv. No. 3, 955.

1. Sir *John*.

2. Sir *James* Wemyss of Bogie, ancestor of the Wemyss of Bogie, baronets, whose descent is detailed in Douglas's Baronage, also of several considerable families of that name in Ireland.

Dougl. Bar. 561, 562.

3. *David*, ancestor of the Wemyss of Fingask.

4. *Henry*, first of the Wemyss of Foodie.

5. *Patrick*, from whom the Wemyss of Rumgay, Craighall, &c. are descended.

1. *Margaret*, married, in 1598, to James Betoun of Criech.

2. *Cecilia*, married, in 1585, to Kynnynmound of Kynnynmound.

3. *Jean*, married to James Macgill of Rankeillour. A charter of Auld Lindores was granted to James Macgill of Rankeil-

Mag. Sig. L. xxxvi. No. 412.

Wemyss. Innerleithy, and Jean Wemys his wife, 29th July 1587.

4. *Elisabeth*, married in 1597 to Alexander Wood of Lamylethan.

5. *Isabel*, married to John Auchmoutie of Auchmoutie.

XVIII. Sir JOHN WEMYSS, of Wemyss, the eldest son, had a charter to John Wemyss, apparens de eodem, of the lands of Wemyss-shire, Elcho, &c. united into the barony of Wemyss, 10th May 1589; obtained from the Duke of Lennox, a grant of the Admiralty betwixt the water of Leven and Dysart, in 1610, and died in 1616. He married, first, in 1574, Lady Margaret Douglas, eldest daughter of William, Earl of Morton, without issue; secondly, in 1581, Anne Stewart, sister of James, Earl of Moray, and by her had issue,

Mag. Sig. L. xxxvii. No. 142.

1. *David*, who had a charter to David Wemyss, son and heir apparent of Sir John Wemyss of Wemyss, of the lands of Wemyss-schire, Elcho, &c. united into the barony of Wemyss, 27th January 1605. He married Lady Elisabeth Lesly, eldest daughter of Andrew, fifth Earl of Rothes, but died in August 1608, without issue by her, who took to her second husband, James, first Earl of Findlater.

Ibid. L. xliv. No. 95.

2. Sir *John*.

1. *Cecilia*, married in 1602 to William, second Earl of Tullibardine, without issue.

2. *Janet*, married to Robert, first Lord Colvill of Ochiltree, and died without issue in April 1655.

3. *Isabel* married in 1614, to Hugh, Lord Lovat, and had issue.

4. *Catherine*, married to Sir John Haldane of Gleneagles.

XIX. Sir JOHN WEMYSS of Wemyss, the eldest surviving son, was served heir male of his brother David, 17th April 1610, was created a baronet, 29th May 1625, when he had a charter of the barony and regality of New Wemyss, in Nova Scotia, and was raised to the peerage by the title of Lord Wemyss of Elcho, by patent dated at Whitehall, 1st April 1628, to him and his heirs male, bearing the name and arms of Wemyss. He was served heir in general of Sir David Wemyss of Methel, abavi abavi, and of David Wemyss his grandfather, 27th January 1630; had a charter of the barony of West Wemyss, 9th August 1630; was advanced to the dignity of Earl of Wemyss, Lord Elcho and Methel, by patent dated at Holyroodhouse, 25th June 1633, to him and his heirs male for ever, bearing the name and arms of Wemyss. His Lordship was high commissioner to the general assembly that met at Edinburgh, 23d July 1641; was the same year constituted a privy councillor by Rescinded Parliament, and one of the committee of estates, also in 1644; and dying 22d November 1649, was buried at Wemyss, on the 4th of December following. His Lordship married in 1610, Jean, eldest daughter of Patrick, seventh Lord Gray, and by her, who dying 17th August 1640, was buried at Wemyss on the 25th of that month, had one son,

Inq. Ret. iv. 304.

Mag. Sig. L. li. No. 121. L. liii. No. 107. L. liii. No. 100. L. liv. No. 131. Inq. Ret. x. 281. xi. 154.

Wemyss. Guthrie, 98.

Acts.

Lamont's Ann. MS.

Balf. Ann. MS.

David, second Earl of Wemyss; and five daughters.

1. Lady *Mary*, married in 1631, to John, sixth Lord Sinclair, and had one daughter.

2. Lady *Anne*, married first, in 1632, to Alexander Lindsay of Edzell, and had one daughter; secondly, in 1639, to Mungo, second Viscount of Stormont, without issue.

3. Lady *Jean*, married first, to Sir John Towers of Innerleith, and had issue; her son, Sir John Towers of Innerleith, was served heir of Lady Jean Wemyss, his mother, 10th May 1662; secondly, 9th August 1649, to the Hon. Harry Maule of Balmakellie, second son of Patrick, first Earl of Panmure, and had one daughter.

Inq. Ret. xxvi. 266.

4. Lady *Elisabeth*, married, in 1636, to Sir John Ayton of Ayton.

5. Lady *Catharine*, married, first, 28th December, 1654, to Sir David Carnegy of Craig; secondly, 16th August 1664, to Sir Andrew Ker of Greenhead; he died 1665, and she died without issue at Dysart, 24th February 1668.

Lamont's Ann. MS.

XX. DAVID, second Earl of WEMYSS, the only son, had a charter to David, Master of Wemyss, of the barony of Wemyss, &c. 14th January 1632; was served heir in general of his father, 13th November 1655; made a resignation of his titles, and obtained a new patent of them, 3d August 1672, in fa-

Mag. Sig. L. liii. No. 219

Wemyss.

vour of his daughter Lady Margaret, and the heirs male of her body; which failing, to the heirs of entail contained in her contract of marriage, with the former precedency. His Lordship built a commodious harbour at Methel, greatly improved his fine seat of Wemyss, and died in June 1679. His lordship married, first, in 1628, the Hon. Jean Balfour, eldest daughter of Robert, Lord Balfour of Burleigh, and by her, who died 10th November 1649, and was buried at Wemyss, 22d November, the day her father-in-law died, had three daughters.

Lamont's Ann. MS.

1. Lady *Jean*, married first, 26th April 1649, to Archibald, Earl of Angus, eldest son of William, first Marquis of Douglas, and was mother of Archibald, Earl of Forfar; secondly, in 1659, George, fourteenth Earl of Sutherland, and was mother of the fifteenth Earl. She died in January 1715.

Ibid.

2. Lady ——

Ibid.

3. Lady *Mary*, "the Earl of Wemyss "third and youngest daughter, by his first "lady, being marriageable, departed out of "this life at the Wemyss, 12th October "1654, and was interred in the church "there, 14th October."

Ibid.

His Lordship married, secondly, at Cumbernauld 23d April 1650, Lady Eleanor Fleming, eldest daughter of John, second Earl of Wigton; she died without issue at Wemyss, 20th April 1652; thirdly, at Sheriffhall, 13th January 1653, Lady Margaret Lesly, daughter of John, sixth Earl of Rothes, relict of James, Lord Balgony, and of Francis, Earl of Buccleuch, mother of Anne, Duchess of Buccleuch and Monmouth, and Alexander, second Earl of Leven, and sister of John, Duke of Rothes, high chancellor of Scotland. By her, who died in 1688, the Earl of Wemyss had issue,

1. *David*, Lord Elcho, who died 28th September 1671, in the 17th year of his age, unmarried.

2. *Margaret*, Countess of Wemyss.

XXI. MARGARET, Countess of Wemyss, the only daughter of the third marriage, on her father's death in June 1679, succeeded to his honours, in virtue of the patent 1672; was served heir of entail of him 7th and 13th March 1684, and died in 1705. She married, first, Sir James Wemyss of Caskyberry, descended from James Wemyss, third son of Sir David Wemyss of Wemyss (No. XV.); he had a charter of the castle of Burntisland, 3d March 1669, was created a peer, by the title of Lord Burntisland, for his life only, by patent dated 15th April 1672, and died in 1685, leaving by the Countess one son,

Inq. Ret. xxxvii. 256.

David, third Earl of Wemyss; and two daughters.

Wemyss.

1. Lady *Anne*, married, in 1691, to David, Earl of Leven and Melville, and had issue.

2. Lady *Margaret*, married to David, fourth Earl of Northesk, and died 29th March 1763, leaving issue.

The Countess married, secondly, 11th April 1700, George, first Earl of Cromarty, without issue. His Lordship erected a bronze statue of the Countess of Wemyss, thus inscribed:

Pulchra Venus, Pallas sapiens, et casta Diana,
Trina sub hoc uno cernitur ære Dea, &c.

XXII. DAVID, third Earl of WEMYSS, the only son, succeeded his mother, 1705, and is thus characterized by a contemporary:—"Is representative of the antient fa- "mily of that name, and is a very fine gen- "tleman. He, as his family have ever been, "is zealous for the liberty of the people, "and for bringing down the power of the "crown. He hath not yet been in the ad- "ministration; is a fine personage, and "very beautiful; hath good sense, and is "a man of honour." His Lordship took the oaths and his seat in Parliament, 28th June 1705, was the same year sworn a privy councillor, and nominated one of the commissioners for the treaty of union. He was appointed high admiral of Scotland, 1706, steadily supported the union in Parliament, by whom he was chosen one of the sixteen representatives of the Scotish peerage, 13th February 1707. The office of high admiral of Scotland being abolished by the union, his lordship was constituted vice-admiral of Scotland, by commission from Prince George of Denmark, high admiral of Great Britain, and was nominated one of his Royal Highness's council. At the general election 1708, the Earl of Wemyss was re-chosen one of the sixteen represen-

Macky's Memoirs, 246.

tatives of the Scotish peerage; and he died 15th March 1720.

His Lordship married, first, in 1697, Lady Anne Douglas, eldest daughter of William, first Duke of Queensberry, sister of the second Duke of Queensberry, and of the first Earl of March. In consequence of her clothes taking fire, while she was engaged in secret prayer, 13th February 1700, the Countess of Wemyss was so severely scorched, that she expired on the 23d of the same month, leaving two sons,

1. *David*, Lord Elcho, born 1698, a noble youth of fine parts, and very promising hopes, who died of a malignant fever, 16th December 1715, before he had fully completed the 17th year of his age.

2. *James*, fourth Earl of Wemyss,

His Lordship married, secondly, Mary, eldest of the two daughters and coheirs of Sir John Robinson of Farningwood, in the county of Northampton, baronet, without issue; thirdly, in July 1716, Elisabeth, fourth daughter of Henry, seventh Lord Sinclair, and by her had two daughters,

1. Lady *Elisabeth*, married 2d April 1734, to William, sixteenth Earl of Sutherland, and had issue, and died at Dunrobin Castle 20th February 1747.

2. Lady *Margaret*, married 24th April 1740, to James, ninth Earl of Moray, and had issue, and died at Drylaw 31st August 1779.

XXIII. JAMES, fourth Earl of WEMYSS, the only surviving son, born in 1699, was with his brother, Lord Elcho, placed under the tuition of Andrew Ramsay, stiled Chevalier Ramsay, author of the Travels of Cyrus, who, in a letter, dated Isleworth 25th February 1709, said, "I have nothing "to interrupt me but an hour or two at- "tendance at night upon two of the most "innocent, sweet, sprightly little boys I "ever knew. All my ambition is to live "forgotten by all, doing all the real service "in my power." He succeeded his father 1720, was "a man of merit, universal be- "nevolence and hospitality, the delight "both of the small and great;" and dying at Norton, in the bishoprick of Durham, 21st March 1756, in the 57th year of his age, was buried on the 8th of April at Wemyss.

His Lordship married, 4th October 1720, Janet, only daughter and heir of Colonel Francis Charteris of Amisfield, in the county of Haddington*, and by her, who died 1st March 1775, had seven children,

1. *David*, Lord Elcho, born in 1721, who, engaging in the rebellion 1745, was colonel of the first troop of horse guards of the Chevalier, escaped abroad after the battle of Culloden, and was attainted by act of Parliament; of course on his father's death in 1758, could not inherit his titles, which fell dormant, and so continued till his lordship's death, at Paris, 29th April 1787, in the 66th year of his age, unmarried, when they became vested in his next brother.

2. Lady *Frances*, born in 1722, married at Dunrobin Castle, 14th October 1743, to Sir James Steuart Denholm of Coltness, and Westshiel, in the county of Lanark, baronet, the eminent author of the "Prin- "ciples of Political Œconomy," who died at Edinburgh, in November 1790; his lady died at Coltness, 29th June 1789, æta. 67. They had one child, Sir James Steuart Denholm of Coltness and Westshiel, baronet, a general in the army, colonel of the 12th regiment of dragoons, Member of Parliament for the county of Lanark from 1784 to 1802, who married, 30th September 1772, Alicia, daughter of John Blacker of Carrick in Ireland, without issue.

3. *Francis*, fifth Earl of Wemyss.

4. Lady *Walpole*, born 28th December 1724, married at Edinburgh, 17th January

* Colonel Francis Charteris of Amisfield died at Stoneyhill, near Musselburgh, in February 1734, in the 57th year of his age. He was only son of John Charteris, by a daughter of Sir Francis Kinloch of Gilmerton, baronet. John Charteris was second son of Sir John Charteris of Amisfield, in the county of Dumfries, by Lady Catherine Crichton, daughter of William, Earl of Dumfries. The eldest son of Sir John Charteris was Thomas Charteris of Amisfield, who had an only surviving child, Elisabeth, heiress of Amisfield. She married John Hogg; their son Thomas took the name of Charteris, and was ancestor of the present family of Amisfield, in Dumfrieshire. Colonel Francis Charteris, the heir male of that antient family, whose descent is detailed in Douglas's Baronage, 150 to 153, having purchased the lands of Newmills near Haddington, changed their name to Amisfield; he married Helen, fifth daughter of Alexander Swinton, of Mersington, a lord of session from 1688 to his death in 1701, and by her, who died 3d January 1733, had an only child, Janet, Countess of Wemyss.

Wemyss. 1754, to Louis de Chastel, chevalier de la Barthe, captain in the French king's life guards, and councillor of the Parliament of Thoulouse. She died without issue at Thoulouse, in 1755.

5. Hon. *James* Wemyss, born in 1726, who was appointed a lieutenant in the royal navy, 26th September 1745; succeeded his father in the estate of Wemyss, 1756; was elected Member of Parliament for the county of Fife, on the vacancy occasioned by the death of General St Clair, in 1762; chosen for the county of Sutherland, at the general election 1768; rechosen 1774 and 1780; and died at Edinburgh, 10th May 1786, in his 60th year. He married, at Dysart, 29th December 1757, his cousin Lady Elisabeth Sutherland, only daughter of William, sixteenth Earl of Sutherland, and by her, who dying at Edinburgh, 24th January 1803, æta. 64, was buried at Holyroodhouse, had eight children: 1. James, born 8th October 1758, who died at Wemyss, 16th November 1770, in his 13th year. 2. William Wemyss of Wemyss. 3. David, born 29th March 1761, who died in the service of the East India Company, at Madura, in September 1783, in his 23d year, unmarried. 4. Francis, born 1st April 1767, who had a cornet's commission in the 3d regiment of dragoons, 22d January 1783, a lieutenancy in the same, 12th January 1785, a company in the 16th regiment of foot 1792, and died, while proceeding to join it, at Kingston in Jamaica, 4th January 1793, in his 26th year, unmarried. 5. Charles, born 2d June 1768, who began his services in the royal navy, on board the Royal George, Admiral Kempenfelt, and was one of those saved when that fine ship was lost at Spithead, 29th August 1782. He had the commission of lieutenant, 22d November 1790, was promoted to the rank of captain in the royal navy, 19th March 1795, had the command of the Prevoyante frigate on the Halifax and other foreign stations, where he was esteemed an active and zealous officer. He was afterwards appointed to command the Unicorn frigate, and died unmarried, at London, 5th June 1802, just after he had completed his 34th year. 6. Elisabeth Margaret, married at Drummore, 16th August 1793, to Alexander Brodie of Arnhall, in the county of Kincardine, M. P. and died at Chepstow, in Monmouthshire, 19th July 1800, leaving one child, Elisabeth. 7. James, born 4th May 1778, placed on the Bengal civil establishment 1796; was interpreter and private secretary to Lord Viscount Lake, when commander in chief in Bengal; and married Miss Binfield. 8. Catherine, born 8th July 1785. Wemyss.

William Wemyss of Wemyss, the eldest surviving son, born 9th April 1760, had the commission of ensign in the Coldstream regiment of foot guards, 25th June 1777. Early in 1779, he raised the Sutherland fencible regiment, extending to 1000 rank and file, in twelve days, and had the temporary rank of colonel in the army, 8th February 1779. When the fencible regiments were reduced, finding that by some mistake he had lost his rank in the army, he was appointed to the same rank that he would have held had he remained in the guards, viz. captain in the line, 13th February 1781. He was chosen Member of Parliament for the county of Sutherland, at the general election 1784, succeeded his father 1786, and was, 25th April same year, appointed deputy adjutant-general to the forces in North Britain, with the rank of major in the army. On the death of General Skene, in 1787, he vacated his seat for the county of Sutherland, and was elected Member of Parliament for Fife, for which county he was rechosen at the general election 1790, and again in 1807. He had the appointment of deputy admiral, within the bounds from Pettycur and Kinghorn, including both sides of the Tay, as far as the water of Alla, the island of May, and the whole islands within these bounds, by commission, dated 17th May 1788. He received the brevet rank of lieutenant-colonel, in consequence of his appointment of deputy adjutant general, 29th September 1791. On the commencement of the war with France, he again raised the Sutherland fencible regiment, on the same footing as the former, of which he was constituted colonel, 1st May 1793, and had the rank of colonel in the army, 25th August 1795. The regiment in 1798 volunteered their services to assist in quelling the rebellion in Ireland, where they were actively and succesfully employed till these un-

happy disturbances were settled. Colonel Wemyss was promoted to the rank of Major-General 18th June 1798; commanded at Drogheda; defeated the rebels near Ardee, 14th July 1798; and was placed on the Irish staff in August 1798. He raised the 93d regiment of foot, of which he had the commission of colonel, 25th August 1800, and was 14th May 1803, appointed major-general on the North British Staff, which he held till his promotion to the rank of Lieutenant-General, 3d November 1805. He married, at Torry 16th September 1788, Frances, eldest daughter of the gallant Sir William Erskine of Torry, baronet, and by her, who died at Torry 1st February 1798, had four sons; 1. James Wemyss younger of Wemyss, born 9th July 1789, captain in the royal navy, and commander of the Pylades sloop of war; 2. William, born 5th September 1790, a captain in the army, and aide-de-camp to his uncle, Sir William Erskine, in Earl Wellington's army in Spain; 3. Francis, born 21st September 1791, lieutenant in the royal navy; 4. Charles, born 23d May 1796, midshipman in the royal navy; and one daughter, Frances.

6. Lady *Anne*, born in 1727, married to John Hamilton of Bargeny, in Ayrshire, M. P. brother of Sir Hew Dalrymple of North Berwick, baronet, and died without issue.

7. Lady *Helen*, born in 1729, married at Bargeny, 26th April 1754, to Hugh Dalrymple of Fordel, in the county of Edinburgh, son of Sir John Dalrymple of Cranstoun, baronet, without issue.

XXIV. Francis, fifth Earl of Wemyss, the second son, born 21st October 1723, inherited the great property of his grandfather, Colonel Francis Charteris of Amisfield, who, by settlement dated 5th June 1729, granted and disponed his whole real and personal estate, both in England and Scotland, in favour of Francis, second son of James, Earl of Wemyss, and the heirs of his body, with remainder to James Wemyss his immediate younger brother, and the heirs of his body, subject to this proviso, that those succeeding to him should take and use the surname and arms of Charteris. In consequence of this settlement, on the death of Colonel Charteris in 1732, his heir the Hon. Francis Wemyss assumed the name and arms of Charteris; was placed at Eton College, which he quitted in 1739, afterwards travelled abroad, and returned to Scotland in 1744. On the death of his father in 1756, the title of Earl of Wemyss fell dormant, till Lord Elcho died unmarried in 1787, when Mr Charteris became sixth Earl of Wemyss. In 1771, he obtained from Parliament an act "to enable Francis "Charteris, Esq. heretofore called Francis "Wemyss, and the heirs of his body, and "the several persons therein named, and "the heirs of their respective bodies, to re-"tain, assume, and sign the name of Char-"teris, and to bear the name and arms of "Charteris, and to hold and enjoy the "estates therein mentioned, notwithstand-"ing the descent, to him or them respec-"tively, of the honour and title of Wemyss, "or any other honour and title whatso-"ever." His Lordship purchased several estates in the county of Haddington, where he built the house of Amisfield, and the magnificent seat of Gosford, now called Wemyss-house. At the commencement of the year 1808, his Lordship was the oldest member of the Scotish peerage, and enjoyed the rare felicity of beholding three generations lineally descending from him in the male line, all existing at once. His Lordship died after seven days illness, at Gosford, 24th August 1808, in the 85th year of his age, and his remains were deposited in the mausoleum erected by himself at that place, on the 30th of the same month.

His Lordship married, 12th September 1745, Lady Catherine Gordon, sixth daughter of Alexander, second Duke of Gordon, and by her, who died at Edinburgh, 21st January 1786, had six children,

1. Lady *Henrietta*, born 5th September 1747, who died unmarried.

2. *Francis*, Lord Elcho.

3. Lady *Catherine*, who died unmarried at Edinburgh, 24th February 1812.

4. Lady *Janet*, who died unmarried.

5. Lady *Frances*, married at Edinburgh, 29th April 1799, to the Rev. William Trail, D. D. Chancellor of the diocese of Down and Connor.

6. Lady *Anne*, who died unmarried, 29th July 1793.

Wemyss.

XXV. FRANCIS, Lord ELCHO, the only son, born at Edinburgh 31st January 1749, was chosen Member of Parliament for the boroughs of Haddington, &c. at the general election 1780, rechosen 1784. On his father's succession to the title of Wemyss, a motion was made in the House of Commons, 23d May 1787, for a new writ for these boroughs, in the room of Francis Charteris, Esq. now Lord Elcho, who is become the eldest son of a peer of Scotland. This motion was carried after a long debate, the opponents of it contending that the article of union founded on, applied only to such peers eldest sons being elected, and not to those who had become so after their election; and thus the country was deprived of the senatorial services of an active, upright, and independent Member of Parliament. His Lordship's attention in his later years was in a great measure engaged by agricultural pursuits, the principles of which art he had studied minutely, and was thereby enabled to conduct every practical operation in the most perfect manner. Of fencing, planting, and gardening, he possessed the fullest knowledge, and executed them with exactness; and in lining off, and making and repairing roads, he was judicious and accurate. His activity on all occasions was conspicuous, and he spared neither trouble nor expence in executing the various improvements which occupied his attention. His Lordship died at Amisfield house, on the 20th of January 1808, at the close of the 59th year of his age, and was buried in the abbey church of Haddington. In a periodical publication shortly afterwards, his Lordship was thus noticed, "His life was "a series of kindness which endeared him "to all ranks in society. Benevolence and "charity formed his character; in filial at-"tention and obedience he was unexam-"pled, as well as in all the other relative "duties. As a friend, a husband, a father, "the sincerity of his attachments, the sua-"vity of his manners, and the sterling "worth of his domestic virtues, secured him "that degree of tender affection from all "his connections, which can only be esti-"mated by the deep grief that his death "has occasioned. He was sincere and un-"disguised in his friendships. Dignity "without pride, and humility without "meanness, were happily blended through "the whole tenor of his blameless conduct. "He bore a long and painful illness with "uncommon fortitude and resignation, and "his loss must universally be deplored." Another periodical publication characterized Lord Elcho, as "A nobleman whose "truly amiable manners endeared him to "all who were honoured with his acquain-"tance, the whole tenor of whose active "life seemed to be one continued series of "kindness, friendship, and philanthropy." The Edinburgh Evening Courant of 23th April 1808 contained "Verses to the me-"mory of the warmest friend, and most "benevolent of men, Francis, Lord Elcho."

Sun, 10th Feb. 1808.

Wemyss.

Farmer's Magazine, March 1808.

His Lordship married, 18th July 1771, Miss Susan Tracy Keck, then one of the maids of honour to the Queen, second daughter of Anthony Tracy Keck, of Great Tew, in the county of Oxford, by Lady Susan Hamilton, fourth daughter of James, fourth Duke of Hamilton, and first Duke of Brandon, K. G. and K. T. and by her had five children,

1. *Francis*, sixth Earl of Wemyss.

2. Hon. *Henrietta Charlotte Elisabeth* Charteris, born 3d February 1773, married at St George's Hanover Square, 23d December 1797, to George Harry, Lord Grey, eldest son of George Henry, Earl of Stamford and Warrington, and has issue.

3. Hon. *Susan* Charteris, married at St George's Hanover Square, 23d November 1799, to Major-General Henry Clinton, of the first regiment of foot guards, M. P. second son of Sir Henry Clinton, K. B.

4. Hon. *Catharine* Charteris, married at Edinburgh, 19th November 1805, to the Hon. Edward Richard Stewart, M. P. seventh son of John, seventh Earl of Galloway, and has issue.

5. Hon. *Augusta* Charteris.

XXVI. FRANCIS, sixth Earl of WEMYSS, the only son, born 15th April 1772, was an officer in the army, and aide-de-camp to his granduncle Lord Adam Gordon, commander in chief of the forces in Scotland, from 1793 to 1797; quitted the army that year; succeeded his grandfather in titles and estates 1808; and on the death of William, fourth Duke of Queensberry, in

December 1810, inherited the barony of Niedpath, and the extensive property belonging to his Grace in the county of Peebles, in terms of the marriage contract of the first Earl of March, his Grace's grandfather. It is understood that the Earl of Wemyss, on that event, also succeeded to the titles of Earl of March, Viscount of Peebles, and Lord Douglas of Niedpath, Lyne, and Munard, the patent of creation being to Lord William Douglas, et hæredes masculos de ejus corpore, quibus deficientibus, alios ejus hæredes masculos et talliæ contentos in ejus infeofamentis terrarum et dominii de Niedpath.

His Lordship married, 31st May 1794, Margaret, fourth daughter of Walter Campbell of Shawfield, by his first wife, Eleanor, daughter of Robert Kerr of Newfield, director of the Chancery, eldest son of Lord Charles Kerr, second son of Robert, first Marquis of Lothian. Their children are,

1. *Francis*, Lord Elcho.
2. Lady *Eleanor*.
3. Hon. *Walter* Charteris.
4. *Susan*, who died in infancy.
5. Lady *Margaret*.
6. Lady *Catherine*.
7. Lady *Charlotte*.
8. Lady *Louisa Antonietta*.
9. Lady *Harriet*.
10. Lady *Jane*.

TITLES.—Francis Wemyss Charteris, Earl of Wemyss and March, Viscount of Peebles, Lord Wemyss, Elcho, Methel, and Douglas of Niedpath, Lyne, and Munard.

CREATIONS.—Lord Wemyss of Elcho, by patent dated at Whitehall, 1st April 1628, to the first lord, and his heirs male, bearing the name and arms of Wemyss. Earl of Wemyss, Lord Elcho and Methel, by patent dated at Holyroodhouse, 25th June 1633, to the first Earl, and his heirs male for ever, bearing the name and arms of Wemyss. Resigned by David, second Earl of Wemyss, and a new patent granted 3d August 1672, with the former precedency, to his youngest daughter Lady Margaret Wemyss, and the heirs male of her body, which failing, to the heirs of entail contained in her contract of marriage. Earl of Wemyss, Viscount of Peebles, Lord Douglas of Niedpath, Lyne, and Munard, by patent dated 20th April 1697, to the first Earl, et hæredes masculos de ejus corpore, quibus deficientibus, alios ejus hæredes masculos, et talliæ contentos in ejus infeofamentis terrarum et dominii de Niedpath.

ARMS.—As Earl of Wemyss. Quarterly 1st and 4th, argent, a fess, azure, within a double tressure, flowered and counterflowered, gules, for Charteris; 2d and 3d, Or, a lion rampant, gules, (the cognizance of Macduff, Earl of Fife,) armed and langued, azure, for Wemyss. As Earl of March. Quarterly, 1st and 4th argent, a man's heart, gules, ensigned with an imperial crown, proper, on a chief, azure, three stars of the first, for Douglas; 2d and 3d, gules, a lion rampant, argent, within a bordure of the last, charged with eight roses of the first, for the earldom of March.

CREST.—Wemyss, A swan, proper. Charteris, A hand grasping a dagger, proper. March, A man's heart proper, winged and ensigned with an imperial crown, Or.

SUPPORTERS.—Wemyss, Two swans proper, sometimes two lions, gules. March, Dexter, a pegasus, or winged horse, argent, sinister, a lion, gules.

MOTTO.—Wemyss, *Je Pense*. Charteris, *This is our charter*. March, *Forward*.

CHIEF SEATS.—Wemyss House in the county of Haddington. Amisfield, in the same county. Niedpath Castle, in the shire of Peebles.

FLEMING, EARL OF WIGTON.

Wigton.

Caledonia, I. 600.

THE Flemings, the most enterprizing people of the twelfth century, emigrated first into England, from whence being banished, they repaired in great numbers to North Britain, where they easily obtained settlements.

Ibid. Chartul. of Glasgow, 57. C. Chartul. of Paisley, 7, 94. C. Chartul. of Newbottle, 175. C.

I. BALDWIN, a distinguished Flemish leader, settled with his followers at Biggar in Clydesdale, under a grant of David I. He was first designed Baldewin Flamingus, but assumed from his lands the appellation of Baldwin de Biger. He was sheriff of Lanark under Malcolm IV. and William I. He obtained also the manor of Inverkip in Renfrewshire, and granted to the monks of Paisley the church of that place, with some lands there.

Hoveden, 539. D.

II. WALDEVE, the son of Baldwin de Biger, was taken prisoner with William I. at the siege of Alnwick Castle 1174.

Chartul. of Kelso. D. Carta in Arch. Fam. de Linlithgow. D.

III. WILLIELMUS FLANDRENSIS, probably his son, witnessed, along with Hugo Cancellarius, who died 1199, a deed of William I. to the monastery of Kelso, and another charter of the same prince, confirming the teinds of Linlithgow to the nuns of Manuel. Willielmus Flamang witnessed a donation of Richard le Bard to the monastery of Kelso, confirmed by Alexander II. 1228.

Chartul. of Paisley. D.

IV. Sir MALCOLM FLEMING, probably his son, witnessed a donation by Walter, high steward of Scotland, who died 1246, of the church of Largs to the monastery of Paisley. He had the office of sheriff of the county of Dunbarton in the reign of Alexander III.; a charter of Malcolm, Earl of Lennox, was witnessed by Malcolmus, Vicecomes de Dunbarton, et Hugo Fleming, milites. The Flemings were now very numerous; Sir William Fleming of Barochan witnessed a charter of Malcolm, Earl of Lennox, in the reign of Alexander III., and a charter of Colin, son of Sir Gillespic Campbell, 1293, and he swore fealty to Edward I. in 1296 *.

Chartul. of Lennox, 35. D. Chartul. of Newbottle, 13. D.

Wigton.

V. ROBERT FLEMING, probably son of Sir Malcolm, was one of the chief men of Scotland who proposed the marriage of Margaret of Scotland to Prince Edward at Brigham, 12th March 1289-90. He swore fealty to Edward; assisted at the slaughter of Cumyn, and was one of the associates of King Robert I. in his arduous attempt to restore the liberties of Scotland, 1306. From that monarch he had a grant of the lands of Lenzie and Cumbernauld, then in the crown by the forfeiture of the Cumyns. He died before 1314, leaving two sons,

Fœdera, II. 471.

Dalr. Ann. II. 3.

Suth. Add. Case, iv. 50.

1. Sir *Malcolm.*
2. Sir *Patrick* Fleming of Biggar.

Reg. Mag. Sig. 15, 16.

VI. Sir MALCOLM FLEMING, the eldest son, had a grant from King Robert I., Malcolmo Fleming dilecto et fideli nostro, totam baroniam de Kirkintolach, quæ fuit quondum Johannis Comyn, militis, for one knight's service, also another grant of the lands of Achyndonan, in Levenax, resigned by Malcolm de Drummond †. He had a charter from the same monarch of the lands of Poltoun, in the county of Wigton, was constituted sheriff of the county, and governor of the castle, of Dunbarton, and obtained from Walter, high steward of Scotland, a grant of an annuity payable

* Dominus Johanes Flemingum, miles, swore fealty to Edward I., 19th July 1296. Prynne, III. 651. Also the same year William le Flemyng, chivaler, William le Flemying de Seton, William le Flemying, Patrick Flemyng del Comte de Dunbretan, Wautier le Flemyng, Johan Flemyng, Aleyn le Flemyng, and Michael le Flemyng. Ib. 654, 656, 657, 658, 659, 661.

† King Robert I. granted to William Fleming of Dunbretan for his life, a release from the payment of ten marks, which he and his heirs were bound to pay for the lands of Kirkmichael, within the liberty of Dunbretan. Reg. Mag. Sig 16. Willielmus le Flemeng swore fealty to Edward I. for his lands in the county of Edinburgh, 1306. Fœdera, II. 1015.

Wigton. to him from the abbot and convent of Holyroodhouse, out of the barony of the the Carse, dated on the feast of St Dunstan (19th May) 1321. His son,

VII. Sir MALCOLM FLEMING, remained faithful to the Brucian line, at a season when loyalty was put to the severest trial. He was engaged in the second body of the Scots army at the battle of Halidonhill, 19th July 1333, and was one of the few that escaped the carnage of that disastrous day. He immediately secured the castle of Dunbarton, the last resource of the remaining followers of David II., and resolutely defended it. He found means, the same year, to convey the King and Queen from that castle into France, where they were honourably entertained. Their majesties landed in Scotland, 4th May 1341, and by charter dated at Ayr, 9th November following, King David II. made a grant, Malcolmo de Fleming, militi, dilecto et fideli nostro, pro homagio et laudabili servitio suo nobis impenso et impendendo, omnes terras nostras de Farynes et de Rennys, et totum burgum nostrum de Wigtoun, cum omnimodis pertinentiis suis, ac omnes terras nostras totius vicecomitatus nostri de Wigtoun, &c. tenend. et habend. eidem Malcolmo, et hæredibus suis de corpore suo per lineam masculinam directe descendentibus, de nobis et hæredibus nostris in feodo et hæreditate in liberum comitatum, &c. Et cum dictus locus de Vygtoun pro principali manereo totius Vicecomitatus de Vygtoun habeatur, ordinamus et perpetuo confirmamus ut ipse Malcolmus et hæredes sui prædicti abinde nomen Comitis accipiant, et Comites de Vygtoun de cetero nuncupentur, quia vero idem Malcolmus adjunctus * noster extitit, et erga nos se fideliter habuit in cunctis prosperis et adversis, &c. The King also bestowed on him a grant of regality, with power to judge in the four pleas of the crown. It is probable that the King intended, by this grant, to circumscribe the overgrown power of the Douglasses, Lords of Galloway, as well as to reward the fidelity of Sir Malcolm Fleming. Malcolm, Earl of Wigton, was taken prisoner at the battle of Durham, 17th October 1346, and was, with his royal master, conducted to a long and dreary captivity in the Tower of London. He sat in the parliament of Scotland at Edinburgh, 26th September 1357, when commissioners were appointed to conclude the treaty for the redemption of David II., which was accordingly done at Berwick, 3d October 1357, and his seal is thereto appended. Malcolm Fleming, Earl of Wigton, gave an infeftment to John Danielston of Iuchkalleche; granted the lands of Kyllynsith in Dunbartonshire to Robert de la Vall; and the lands of Hallys and Letbernard, in the county of Edinburgh, to Robert Dunbarton, clerk of register. He made a donation to the monastery of Newbottle in the beginning of 1346, pro salute animæ suæ, witnessed by Duncan and Walter Fleming. Malcolm, Earl of Wigton, had a charter of the five merk land of Carmnole and Knockiebirvan. In Robertson's Index is a note of a charter of lands resigned by Marjorie Fleming, foster sister to the King, (David II.) Countess of Wigtoun. Malcolm, Earl of Wigton, probably had two daughters, one married to Sir John Danielston, dominus ejusdem, and Marjory, married to William de Fawsyd; they had a charter of Lyndmill, 18th October 1364; he had also a son,

Wigton.

Dalr. Ann. II. 239. 267. III. 110.

Fœdera, V. 43.

Robertson's Index, 30, 35, 50, 61.

Reg. Mag Sig. 38.

VIII. JOHN FLEMING, who was one of the hostages for the ransom of King David II., 16th August 1357, under the stile of Johan Flemyng, heir au Counte de Wygeton. It is, however, probable that he was dead before 1351, and that Johan is a mistake for Thomas. His son,

Fœdera, VI. 35.

IX. THOMAS, second Earl of WIGTON, was, under the stile of Thomas Fleming, grandson of the Earl of Wigton, one of the hostages for David II., when he was permitted to visit his dominions, 4th September 1351. Le heir au Count de Wygton was one of the hostages named in the treaty for the liberation of David, 13th July 1354; and *Johan* Flemyng, heir au Counte de Wygeton, was one of the hostages proposed for the release of the King, August

Fœdera, V. 724, 732. VI. 35, 47, 109.

Dalr. Ann. II. 185, 186.

Robertson's Index, ii.

Suth. Add. Case, iv. 51.

* This word is indistinctly written. Crawford's Peerage, 494, where the charter is printed at length, has it alumnus; on which Lord Hailes remarks, this cannot mean one whom the King had educated, but one who had *educated the king*; a sense not unchastical. Suth. Add. Case, iv. 57.

Wigton. 1357; but in the treaty concluded to that effect at Berwick, 3d October 1357, he is designed *Thomas* Fleming, heir au Counte de Wygton. Thomas Flemyng, hostage, was in the custody of the sheriff of Northumberland, 10th November 1358. He succeeded his grandfather, and had a charter from King David II., dated at Perth,
Reg. Mag. Sig. 51. 25th January 1365-6, of this tenor: Sciatis nos dedisse concessisse et restituisse Thomæ Flemyng, Comiti de Vyngtoun, totum comitatum de Wygtoun cum pertinen. tenend. &c. sicut quondam Malcolmus Flamyng, Comes de Vygtoun, avus prædicti Thomæ dictum comitatum tenuit, salvo quod regalitatem aut jus regalitatis in ipso comitatu non habeat, aut ipsa regalitate utatur, quam ex certa causa in suspenso remanere volumus. This suspension was probably owing to the influence of Archibald Douglas, Lord of Galloway, who could not brook the erection of a new regality within his territory. Thomas Flemyng, Comes de Wygtoun, sold the earldom
Ibid. 114. of Wigton to Douglas, pro una certa et notabili summa pecuniæ, by deed of sale dated at Edinburgh, 8th February 1371-2, propter magnas et graves discordias et inimicias capitales, inter me et majores indigenas comitatus prædicti exortas, and the sale was confirmed by King Robert II., 7th October 1372. The same monarch, on the 20th of April 1372, granted a charter carissimo nepoti nostro Jacobo
Ibid. 90. de Lyndesay, militi, omnes terras et totum dominium de Wygtoun, una cum burgo ejusdem, excepta baronia de Carnysmul, quæ fuerunt quondam Malcolmi Flamyng, militis, et quæ successione hereditaria fuerunt consequenter Thomæ Flemyng, nepotis et heredis ejusdem quondam Malcolmi Flemyng, et quas idem Thomas, alias apud Glasglu tempore recolendæ memoriæ Domini avunculi et prædecessoris nostri *Domini* David Regis Scotorum illustris, resignavit, and which he again resigned in our presence, 19th April 1372. It is to be observed that, in this charter, Thomas Fleming is no longer stiled Earl of Wigton, as being divested of the earldom, affording a convincing proof that then the
Suth Add. Case IV. 53. title of honour was understood to be so inseparably connected with territory, that the first grantee and his heirs being divested of the estate of the earldom, from thence- Wigton.
forth ceased to enjoy the dignity. King Robert II. on the 20th of June 1374, confirmed letters of impignoration by Thomas Reg. Mag. Sig. 104.
Flemyng de Fowlwod, *dudum* Comes de Wigton, to William Boyd, of all the lands of the said Thomas, within the barony of Leygue, for the sum of L. 80 Sterling, dated at le Fowlewod, die martis prox. post festum Sancti Jacobi apostoli 1372. He had previously, 12th August 1371, grant- Ibid. 109.
ed an annuity to the said *William Boyd* of twelve marks sterling annually, payable half yearly, being designed in the grant Thomas Flemyng, Comes de Wigton, and in the confirmation, 24th February 1373-4, he is stiled Thomas Flemyng *dudum* Comes de Wigton. He made a grant to Gilbert Ibid. 102.
Kenedy, knight, of the town of Kyrkyntulach, confirmed 13th May 1373. He resigned the barony of Leygny in Dunbartonshire in favour of Malcolm Flemyng of Bygar, confirmed by Robert II. 20th Sep- Ibid. 165.
tember 1382, and died without issue. He was succeeded by his cousin Sir Malcolm Flemyng, son of

VI. Sir PATRICK FLEMING of Biggar, who married one of the two daughters and Caledonia, II. 922.
coheiresses of the brave Sir Simon Fraser of Oliver Castle, in the county of Peebles, who held the office of sheriff of that county, and was executed by orders of Edward I. 1306, and in consequence of this alliance the Flemings quartered the arms of Fraser with their own. According to the first Carta penes March. de Tweeddale. D.
edition, Sir Patrick Fleming had the office of sheriff of Peebles bestowed on him by King Robert I.; but it is more probable that it was granted to Sir Gilbert Hay of Locherworth, the husband of the eldest daughter of Sir Simon Fraser, as it was long hereditary in the Hay family. Sir Patrick Fleming had a son,

VII. Sir MALCOLM FLEMING of Biggar, who had charters from King David II. of the lands of Leigne, forfeited by John Robertson's Index, 30, 54, 67.
Kennedy, of the lands of Leigne, Kilmarnock, the barony of Dalliell, in liberam warrenam, of the lands of Ruins of Wigtoun, and of the lands of Sthboger in the barony of Leinzie, forfeited by Thomas Balcasky. It appears that he was made

Wigton.

prisoner at the battle of Durham, 17th October 1346, as Malcolm Fleming was in the custody of Robert Bertam, 16th December 1346. He made his escape soon afterwards; for in the calendar of antient charters, p. 203, is this article, De capiendo Robertum Bertram, qui Malcolmum Fleming, Scotum, inimicum Regis, evadere permisit. Sir Malcolm Fleming obtained from Malcolm, Earl of Wigton, a grant, dilecto consanguineo suo Malcolmo Fleming de Biggar, of the lands of Achmoir, Seymoir, &c. 1357; held the office of sheriff of the county of Dunbarton 1364; and had an assignation from William Boyd to Malcolm Flemyng, Lord of Byger, and to Christian his spouse, of the impignoration by Thomas Flemyng de Fowlwod, dudum Comes de Wigton, made to the said William Boyd, of the barony of Leygne, for L. 80 sterling, dated at Cumbirnald in festo Sancti Martini in hyeme 1372. Malcolm Flemyng had a charter from King Robert II. of a tenement in Crawmond, resigned by Marjory Fleming, 16th January 1380-1, and another charter from the same monarch of the barony of Leygny, resigned by Thomas Fleming, 20th September 1382. He had two sons,

Fœdera, V. 587.

In Arch. Fam. de Wigton. D.

Chartul of Lennox. D.

Reg. Mag. Sig. 104.

Ibid. 142, 165.

1. Sir *David*.

2. *Patrick*, who had a charter dated 18th April 1369, Patricio Flemyng, filio Malcolmi Flemyng, Domini de Bigar, secundo genito, from Robert de Erskyn, knight, of all his lands within the barony of Leygneh, namely, the lands of Bord, Tweoures, Croy, Smetheston, Balloch, and Ardre. in excambion for Dalnoter and Gartscadane, in the earldom of Levenax. He was ancestor of the Flemings of Bord *.

Ibid. 108.

VIII. Sir DAVID FLEMING of Biggar and Cumbernauld, the eldest son, is perhaps the same person to whom King David II., on the 27th of October 1362, granted a charter of certain annualrents, dilecto et fideli bachillario nostro David Flamyng. A safe conduct was granted to David Flemyng, miles, to come into England, 20th May 1365. He distinguished himself at the battle of Otterburn in 1388, and had a charter from King Robert III., dilecto consanguineo nostro David Flemyng, knight, of fifty pounds sterling of annualrents due to the crown by the hands of the abbot and convent of Holyroodhouse, which formerly was due for his lands of Cars in in the county of Stirling, 14th March 1390-1. From the same monarch he had charters of the lands of Auchlan, in the barony of Kinnedward; of Barbethe, Casslis, Galnethe, and Glentall, in the parish of Stratoun in Ayrshire; of Cambusbarron and Blaregis, in Stirlingshire; of the chapels of Kirkintullach, the lands of Drumtablay, with the miln thereof, in Dunbartonshire; of the lands of Wodland and Meiklegall, in the barony of Monycabow; and of the lands of Cavers, and sheriffship of Roxburgh, by reason of *recognition*, by disposition of Isabel, Countess of Marr, to Archibald, Earl of Douglas. He, with consent of Malcolm, his son and heir, gave to the monastery of Cambuskenneth, the lands of Muretoun, for the welfare of the souls of Malcolm his father, Christian his mother, himself, and Isabella his wife, 8th November 1399; and he granted to the monks of Holyroodhouse an annualrent of 25 marks out of his estate, redeemable on payment of L. 100. David Fleming, Dominus de Biggar, miles, was one of the commissioners for a truce with the English, 6th July 1404. He attended James, Prince of Scotland, to the Bass, in February 1405, and saw him safe on board the ship appointed to carry him to France; on his return home, he was attacked and killed at Longherdmanstoun, six miles west of Edinburgh, on the 14th of that month, by James Douglas of Balveny, afterwards seventh Earl of Douglas, and he was buried at Holyroodhouse, according to Wyntoun, who says of him,

Wigton.

Crawf. Peer. 495.

Reg. Mag. Sig. 200.

Robertson's Index, 140, 142, 143, 146, 148.

Chartul. of Cambusk. 258. D.

Crawf. Peer. 495.

Fœdera, VIII. 363.

Fordun, II. 439.
Wyntoun, II. 412.
Pinkerton, I. 81.
Caledonia, II. 99.

> Schire Davy Flemyng of Cumbirnald
> Lord, a knycht stout and bald,
> Trowit and luvit wel with the King;
> This ilke gud and gentyl knycht
> That wes baith manful, lele, and wycht.

He married, first, Jean, only daughter of Sir David Barclay of Brechin, and by her had one daughter,

Marion, married to William Maule of

* Patrick Flemyng had a charter of the lands of Honemener, Glenrustok, within the barony of Oliver Castle, in the county of Peebles. Robertson's Index, 147.

Wigton.

Panmure, who, in her right, claimed the barony of Brechin.

He married, secondly, Isabel, heiress of Monycabow, by whom he had two sons,

1. Sir *Malcolm*.

2. *David*, whose son, Malcolm Fleming of Boghall, and Elisabeth de Houston his wife, had a charter of the lands of Boghall and Haddoliston, in the shire of Renfrew, 15th June 1452.

Mag. Sig. L. iv. No. 173.

IX. Sir MALCOLM FLEMING of Biggar and Cumbernauld, the eldest son, was knighted by King Robert III.; had a charter of the lands of Torwood from Robert, Duke of Albany; was one of the hostages for the return of James I., when he was allowed to visit Scotland, 31st May 1421; and Malcolmus, Dominus de Bygare, was one of the hostages nominated for his Majesty's release by the treaty of the 4th December 1423, when his annual revenue was estimated at 600 marks. Malcolmus Flemyn de Bygare had a safe conduct to come into England to meet James I., 13th December 1423. He was arrested with Murdac, Duke of Albany, 1425, but soon released. Accompanying William, Earl of Douglas, to the castle of Edinburgh, he was, after a brief and desultory trial, there beheaded, 24th November 1440, along with the Earl and his brother. He married Lady Elisabeth Stewart, third daughter of Robert, Duke of Albany, Regent of Scotland, and by her had issue,

Crawf. Peer. 495. Robertson's Index, 159.

Fœdera, X. 125, 308, 309.

Pinkerton, I. 112, 194.

1. *Malcolm*, who is specified as one of the supplementary hostages for King James I., 9th November 1427, under the designation of Malcolmus Flemmyng, filius et hæres Malcolmi Flemyng, Domini de Combernald. He was released 20th June 1432, and appears to have died before his father, without issue.

Fœdera, X. 382, 509.

2. *Robert*.

Daughter, *Margaret*, married to Patrick, Master of Gray, as appears from an obligation for her portion of 600 marks, 7th February 1439-40, without issue.

Penes D. Gray.

X. Sir ROBERT FLEMING of Biggar and Cumbernauld, the only surviving son, entered a protest against the illegal and unwarrantable sentence of execution and forfeiture passed on his father; and King James II., when he came of age, issued precepts for infefting Sir Robert as heir of his father, who was found by inquests to have died at the faith and peace of his Majesty. A safe conduct was granted to Robert Flemyng to accompany Sir James Stewart, the black knight of Lorn, to England, 22d November 1447. He had charters to Robert Fleming of Biggar, of Petkeny, Culivenny, and Balrody, in the barony of Kinghorn, on the resignation of Patrick, Lord Glamis, 6th June 1451; of Altermuny, in the earldom of Levenax, on the resignation of Alexander Lyon, son of Patrick, Lord Glamis, 7th June 1451; and erecting Biggar into a free burgh of barony, 5th March 1451-2. He was created a peer of parliament, but the date of his creation is not known, probably by James II., who died 1460. Robert, Lord Fleming, occurs in the records of parliament, 11th October 1466. He had a safe conduct to come into England with twenty persons in his retinue, 2d November 1484, and died in 1494. He married, first, Lady Janet Douglas, third daughter of James, seventh Earl of Douglas, and by her had issue,

Wigton. Crawf. Peer. 496.

Fœdera, XI. 192.

Mag. Sig. L. iv. No. 219, 220, 221.

Rec. Parl. 142.

Fœdera, XII. 251.

1. Sir *Malcolm*.

2. *Robert*, mentioned in the records of parliament, 12th June 1478.

Rec. Parl. 226.

1. *Elisabeth*, married to John, Lord Livingston.

2. *Beatrix*, married to Sir William Stirling of Kier.

He married, secondly, Margaret, daughter of John Lindsay of Covingtoun, without issue.

XI. MALCOLM FLEMING of Monycabo, the eldest son, was one of the commissioners appointed to negotiate the marriage of James, Prince of Scotland, and Cecilia, daughter of Edward IV., 18th October 1474, under the designation of Malcolm Flemyng, son and heir apparent of Robert, Lord Flemyng; and died before his father. He married Eupheme, daughter of James, Lord Livingston; she married, secondly, William Fleming of the Bord, as the lords auditors, 1st June 1493, decreed that the Earl of Huntly should pay to William Fleming of the Bord, and Ewfame his spouse, the spouse of the late Malcolm Flemyng,

Fœdera, XI. 823.

Rec. Parl. 375.

Wigton.

sixteen marks for the males and annual of the lands of Monycabo. They had issue,

Mag. Sig. L. ix. No. 33.

1. Sir *David*, who had a charter to David Fleming, son of the deceased Malcolm Fleming, and grandson and heir of Robert, Lord Fleming, father of the said Malcolm, of the lands and baronies of Lenze, Cummyrnald, Biggar, Thankertoun, Monycabo, part of Lour, and part of Dunbully; this charter is undated, but is in the record among those of 1480. He was contracted to a daughter of Lord Drummond, but died before marriage, in the lifetime of his grandfather.

2. *John*, second Lord Fleming.

1. *Elisabeth*, married to George Fleming son and heir apparent of William Fleming of the Bord, as appears from a decreet

Acta Conc. 126.

of the lords of council, 25th February 1489-90, relative to her portion of 300 marks.

Rec. Parl. 440.

2. *Isobel*, mentioned in the records of parliament, 6th December 1494, when a decreet was issued against John of Terwait of that ilk, for payment of 430 marks, because the said John refused to contract, and complete solemnly in holy kirk, marriage with Isobel Fleming, sister to the Lord Fleming.

XII. JOHN, second Lord FLEMING, occurs in the records of parliament, 31st

Acta Audit. 169.

May 1493, under the designation of John Fleming, knight, the heir of the deceased Malcolm Fleming his father, and David Fleming, knight, his brother. He had a charter to John, Lord Fleming, and Eufamia Drummond his wife, of the lands of

Mag. Sig. L. xiii. No. 182. L. xvii. No. 9. Crawf. Off. St. 325.

Thankerton in Lanarkshire, 5th May 1496, was served heir of his grandfather 1500, and had a charter of Monycabo, 8th May 1509. He was sent ambassador to France, and on his return home had the appointment of chamberlain of Scotland, being de-

Fœdera, XIII. 600.

signed camerarius Scotiæ in the ratification of a treaty with England, 7th October 1517. He was sent over to France in 1519, to urge the regent, Duke of Albany, to return to

Pinkerton, II. 222, 430.

Scotland; was one of the three noblemen appointed by parliament, in November 1523, to abide with King James V., each for three months; and was assassinated while he was taking the diversion of hawking, by John Tweedie of Drumelzier, James Tweedie his son, and others, 1st Novem-

Pitscottie, 204.

ber 1524. He married, first, Eupheme, fifth daughter of David, Lord Drummond, and by her, who was poisoned with two of her sisters in 1501, had issue,

Wigton.

1. *Malcolm*, third Lord Fleming.

2. *Malcolm*, [qu. ?] prior of Whithorn.

1. *Elisabeth* *, married to William, Lord Crichton of Sanquhar.

2. *Margaret* *, married to John Cuninghame of Glengarnock.

3. *Johanna*, married, first, to John Sandilands of Calder; secondly, to David Crawford of Kerse.

He married, secondly, Lady Margaret Stewart, eldest daughter of Matthew, second Earl of Lennox. A charter was

Mag. Sig. L. xv. No. 90. L. xix. No. 81. L. xxii. No. 49.

granted to her and the heirs to be procreated betwixt her and John, Lord Fleming, of Biggar and Thankerton, 12th March 1508-9; it appears that they were divorced, as a charter was granted to John, Lord Fleming, of these lands, on the resignation of Margaret Stewart, olim reputatæ sponsæ dicti Joannis, 26th October 1516. She married, secondly, Alexander Douglas of Mains. Lord Fleming married, thirdly, Agnes Somerville, as appears from a charter of the lands of Carsehour in Monteth, 17th December 1526, to Agnes Somerville, relict of the deceased John, Lord Fleming.

XIII. MALCOLM, third Lord FLEMING, the eldest son, born about 1494, succeeded his father in title, estates, and also

Crawf. Off. St. 326.

in the office of great chamberlain of Scotland, 1524. He had a charter to Malcolm,

Mag. Sig. L. xxi. No. 160. L. xxiv. No. 167.

Lord Fleming, of Drumelzier, Hopecastle, and Halmyre, in the county of Peebles, and of Clifton in Roxburghshire, 12th August 1524. A dispensation was granted to him and Jochanna, or Jonet Stewart, sister of King James V., super contractum matrimonialem initum inter ipsos, recorded in the great seal register, 26th February 1524-5. A great number of charters were granted to him, as in the subjoined note†. He accompanied King James V. on

Pinkerton, II. 337.

his matrimonial expedition to France in August 1537; was made prisoner by the English

Fœdera, XIV. 797.

* Charters 1541 and 1548; they were, more probably, daughters of the third Lord.

† Charters of Drumelzier, &c. in the county of Peebles, and Eliston in Roxburghshire, to him and

Wigton.

at the rout of Solway, in November 1542, but obtained his liberty, 1st July 1543, on paying a ransom of 1000 marks sterling. He was at first of the English party, relative to the projected match betwixt Queen Mary and Prince Edward, but soon deserted it. He had been accused of treason, but parliament, 3d October 1545, declared that he was innocent of all crimes alleged against him, and a true baron and liege to the Queen. He founded the collegiate church of Biggar, for a provost, eight prebends, four singing boys, and six poor men, 1545, and was killed at the battle of Pinkie, 10th September 1547, in the 53d year of his age. By his wife Johanna or Jonet Stewart, natural daughter of King James IV. by Isabel Stewart, daughter of James Earl of Buchan, he had issue,

Sadler, I. 132.

Rec. Parl. 687.

Keith's Catal. 284.

1. *James*, fourth Lord Fleming.

2. *John*, fifth Lord Fleming.

1. *Janet*, married, first, to John Livingston, eldest son of Alexander, fifth Lord Livingston; they had a charter, 20th May 1546; he was killed at Pinkie without issue 1547; secondly, to Richard, son and heir apparent of Andrew Brown of Hastry.

Mag. Sig. L. xxv. No. 382.

2. *Agnes*, married to William, sixth Lord Livingston; they had a charter 1st October 1553; and had issue.

L. xxxi. No. 163.

3. *Margaret*, married, first, to Robert, Master of Montrose, killed at Pinkie 1547; secondly, to Thomas, Master of Marr*; thirdly, to John, fourth Earl of Atholl, high chancellor of Scotland; they had a charter, 9th June 1557.

L. xxxi. No. 392.

4. *Mary*, married at Stirling, 6th January 1567, to William Maitland of Lethington, and had issue.

Wigton.

XIV. James, fourth Lord Fleming, the eldest son, succeeded his father 1547, and was constituted great chamberlain of Scotland for life, by letters patent under the great seal, 10th March 1553. He also was appointed guardian of the east and middle marches, and invested with a power of justiciary within the limits of his jurisdiction. He was one of the eight commissioners elected by Parliament, 18th December 1547, to represent the Scotish nation, at the nuptials of Queen Mary with Francis, Dauphin of France, 24th April 1558. The resolution of these deputies to consent to nothing that tended to introduce any alteration in the order of succession to the crown of Scotland, gave so much offence to the French court, as to occasion a report that poison was administered to them. The Earls of Cassillis and Rothes, and Bishop Reid, three of them, died all in one night at Dieppe, 28th November 1558. Lord Fleming hastened back to Paris, where he died 15th December 1558, in the 24th year of his age. He married Lady Barbara Hamilton, eldest daughter of James, Duke of Chatelherault, governor of Scotland, (she had a charter from her husband, of part of the barony of Lenzie, 14th December 1553,) and by her had one daughter,

Crawf. Off. State, 328.

Mag. Sig. L. xxxii. No. 638.

Jane, married, first, to John, Lord Thirlestane, high chancellor of Scotland, who died 3d October 1595, and had issue; secondly, in November 1597, to John, fifth Earl of Cassillis, without issue; and dying 23d June 1609, æta. 55, was buried at Haddington.

XIV. John, fifth Lord Fleming, the second son, had a charter to John Fleming, of Malcolm, Lord Fleming, great chamberlain of Scotland, and of Jonet Stewart his wife, of the lands of Sunderlandhall in Selkirkshire, and of Mossfennan, in the county of Peebles, 29th September 1541. His brother James made over to him, by charter dated 15th January 1557-8, the family estates of Auchtermony, Kerse, Leuze, Kirkintulloch, Cumbernauld, Boghall, Thankerton, Biggar, Mynzean, Oliver Castle, Sunderland, Lour, Dunbullis, and Friscilis lands,

L. xxviii. No. 72. L. xxxii. No. 638.

Snth. Add. Case, vi. 96.

Jonet Stewart his wife, 28th October 1527; of Urisland, 26th March 1531; of Cardrono, 8th May 1534; of Rachan and Glencotho, 1st July 1534; of Colbintoun, 22d November 1534; of Kilbotho, 26th September 1385; of Over-Kingledurris, 11th July 1537; of Auchtermony, Kerse, Leuze, the burgh of Kirkintulloch, Cumbernauld, Boghall, Thankerton, Biggar, Over Mynzeau, Oliver Castle, Lour, Dunbullis, and Fresallis lands, 9th April 1538; of Thankerton and Bothkennar, to him and Jonet Stewart the King's sister, his wife, 22d April 1539; and of Sunderland, 18th June 1541. Mag. Sig. xxii. 111, xxiv. 124, xxv. 133, 135, 160, 275, xxvi. 18, 149, 260, xxvii. 233.

* See charter, L. xxxi. No. 264, to Margaret Fleming, Mistress of Graham, in her viduity, for life, by John Cunningham of Drumquhassell, 1st March 1548-9, in implement of her marriage contract with Thomas, Master of Erskine.

Wigton.

under a condition to return to the heirs male of his own body, and of payment of certain portions to his daughter, confirmed by royal charter, in virtue of which he succeeded to the the title, 1558. He was appointed great chamberlain of Scotland for life, by commission, dated 30th June 1565, had a grant of the profits and rents of the priory of Whitehorn 1567, and of the office of justiciary within the bounds of the overward of Clydesdale and sheriffdom of Peebles, and governor of the castle of Dunbarton, which he kept for Queen Mary. He entered into the association on her behalf at Hamilton, 8th May 1568; was forfeited by parliament, 17th November 1569; held out the castle of Dunbarton for the queen, till it was taken by surprise, 2d April 1571, when he escaped in a small boat into Argyleshire, and then proceeded to France to obtain succours. He returned home in June 1572, and was mortally wounded by French soldiers discharging their pieces for a volley on their entrance into Edinburgh, some of the bullets rebounding from the causeway, and hitting him above the knee, 5th July 1572. He was carried to the castle of Edinburgh, from whence he was conveyed in a litter to Biggar, where he died of his wounds, 6th September 1572. He married Elizabeth, only child of Robert, master of Ross, killed at Pinkie 1547, eldest son of Ninian, third Lord Ross, and by her had a son,

Crawf. Off. State, 329.

Rec. Parl. 312.

Bannatyne's Journal, 344, 387.

John, sixth Lord Fleming; and three daughters.

1. *Mary*, married to James Douglas of Drumlanrig, from whom she had a charter, 12th December 1581.

Mag. Sig. L. xxxv. No. 488, 550.

2. *Jane*, married, contract dated 1582, to William Bruce of Airth.

3. *Margaret*, mentioned in an original deed in October 1590, married to Sir James Forrester of Carden.

XV. JOHN, sixth Lord Fleming, the only son, had charters of Boghall, Myntoun, and Arrotishall, 14th April 1582, officii principalis janitorum et custodum domus et cubiculi regis, 30th July 1587, of Auchtermony, Lenze, Biggar, Kingildurris, Sunderland, and other lands united into the lordship of Cumbernauld, 18th January 1588-9, and 31st January 1595-6. This last proceeded on a procuratory resigning these lands for new infeftment to himself and the heirs male of his body, which failing, to Alexander Fleming of Barochan, and the heirs male of his body, which failing, to his own nearest heirs male whatsoever, bearing the name and arms of Fleming. He was *created* Earl of Wigton, Lord Fleming and Cumbernauld, by patent dated at Whitehall, 19th March 1606, and *he* died in April 1619.

L. xxxv. No. 545. L. xxxvii. No. 236. L. xxxviii. No. 292. L. xli. No. 83.

Wigton. Writs of the Family, D.

Ibid.

His Lordship married, first, Lady Lillias Graham, only daughter of John, third Earl of Montrose, by whom he had issue,

1. *John*, second Earl of Wigton.

2, Hon. *James* Fleming of Boghall, who, in 1612, married Janet Brisbane, daughter of the laird of Bishoptoun; he died in 1622; his son John came of age 1643.

3. Hon. *Malcolm* Fleming. A charter was granted to Jean Fleming, Countess of Cassilis, and Malcolm Fleming, third son of John, Lord Fleming, of the lands of Gilberton, in the county of Edinburgh, 28th December 1597. John Fleming, eldest son of Malcolm Fleming, third brother-german of the deceased John, Earl of Wigton, was as nearrest, and cousigne on the father's syde, served tutor at law of John Fleming, only son and heir male of James Fleming of Boghall, which John, "is foolish, and "such a on as is not able to manage his "owen affairs."

Mag. Sig. L. xxii. No. 292.

Inq. Ret. xxiii. 64.

4. Hon. *Alexander* Fleming.

1. Lady *Jean*, married, contract dated 1603, to George, Master of Loudoun, and was mother of Margaret, Countess of Loudoun.

2. Lady *Anne*, married to Sir William Livingston of Darnchester, eldest son of Sir William Livingston of Kilsyth, documented by a discharge of her portion 1610.

3. Lady *Margaret*, married, contract dated 1613, to Sir John Charteris of Amisfield, and had issue.

4. Lady *Lillias*, married, contract dated 1627, to Sir David Murray of Stanhope, and had issue.

5. Lady *Mary*, married, contract dated 14th February 1634, to Archibald Stewart younger of Castlemilk, and had issue; he died in May 1643, in the lifetime of his father Sir Archibald Stewart of Castlemilk.

Wigton.

6. Lady *Rachel*, married, contract dated November and December 1624, to George Lindsay of Covington.

The Earl married, secondly, Sarah Maxwell, eldest daughter of John, Lord Herries, relict of Sir James Johnston of Johnston, who died in 1608, and by her, (who had a charter to Sarah Maxwell, Countess of Wigton, of the lands of Thornyquhat in Dumfries-shire, 12th December 1620; married, thirdly, Hugh Montgomery, Viscount of Airds in Ireland, and was buried at Edinburgh, 29th March 1636,) had two daughters,

Mag. Sig. L. xlix. No. 306.

Balf. Ann. MS.

1. Lady *Sarah*.

2. Lady *Jean*, both mentioned in a bond of provision of John, Lord Fleming, 1616, as daughters of the Earl by his second wife.

XVI. John, second Earl of Wigton, the eldest son, had a charter to John, Master of Wigton, and Margaret Livingston his wife, and his heirs male, of the lordship of Cumbernauld, 25th August 1614. He succeeded his father 1619, was served heir of him 17th April 1628, had charters of the lands of Kingildores, in the county of Peebles, 28th March 1620, of Castlerankine, Samoir, &c. 16th June 1632, of Cattiscleugh, 24th December 1634, and of Drumgryne, 30th January 1637; was one of the committee of estates 1640, appointed a privy councillor by Parliament 1641, but entered heartily into an association to support the cause of Charles I. framed at his house of Cumbernauld, in January 1641. His Lordship died at Cumbernauld, 7th May 1650. He married Lady Margaret Livingston, second daughter of Alexander, first Earl of Linlithgow; she had a charter to her and John Fleming, her eldest son, of the barony of Thankerton, 28th April 1617; they had issue,

Mag. Sig. L. xlvii. No. 314. L. xlix. No. 374. L. liii. No. 243. L. lv. No. 33, 286. Inq. Ret. x. 95.

Guthrie, 80.

Mag. Sig. L. xviii. No. 241.

1. *John*, third Earl of Wigton.

2. Hon. Sir *William* Fleming, who was sent to King Charles I. by the Scotish army, in September 1640, with the conditions whereon they would agree to a pacification, which led to the treaty of Ripon; and in 1648 he was dispatched to invite Prince Charles to come to Scotland. He was gentleman usher to Charles I. and chamberlain of the household to Charles II.; and dying without issue, the Countess of Panmure, his grand-niece, was served heir of him, 2d May 1678.

Guthrie, 85, 282.

Wigton. Inq. Ret. xxviii. 341.

1. Lady *Eleanor*, married at Cumbernauld, 23d April 1650, to David, second Earl of Wemyss, and died without issue, 20th April 1652.

Lamont's Ann. MS.

2. Lady *Anne*, married, first, to Robert, seventh Lord Boyd; secondly, to George, second Earl of Dalhousie, and had issue; and died 20th April 1661.

3. Lady *Jean*, married, contract dated 1641, to Sir John Grierson of Lag, in the county of Dumfries, and had issue.

XVII. John, third Earl of Wigton, the eldest son, had a charter of the lordship of Cumbernauld, 1st February 1634; joined Montrose, was at the battle of Philiphaugh, 1645, and escaped with the Marquis to the Highlands, where he lay concealed for some time. His Lordship was served heir of his father, 20th August 1652, and 5th March 1668. He executed his testament at Stirling, 24th July 1661, mentioning therein his sons, John, Robert, James, Hary, William, and Charles, and his daughters Margaret and Lillias; and he died in February 1665. He married Lady Jane Drummond, eldest daughter of John, second Earl of Perth, and by her had issue,

In Pub. Acts, D.

Guthrie's Memoirs. Inq. Ret. xxiv. 263. Inq. Ret. xxi. 18.

Lamont's Ann. MS.

1. *John*, fourth Earl of Wigton.

2. Hon. Sir *Robert* Fleming, who died unmarried.

3. Hon. *James* Fleming, who died unmarried.

4. Hon. *Hary* Fleming, who died unmarried.

5. *William*, fifth Earl of Wigton.

6. Hon. *Charles* Fleming, who died unmarried, as appears from a discharge of one of his debts, paid by John, sixth Earl of Wigton, his nephew, as his representative.

1. Lady *Margaret*, who died unmarried.

2. Lady *Lillias*, married to Richard Storry, Esq. She and her husband assigned her provision to lieutenant-colonel John Fleming, who discharged her renunciation dated in October 1673.

3. Lady *Jean*, mentioned in an assignation dated 1st July 1664, who died unmarried. She was born after her father's testament, dated 24th July 1661, was executed, as she is not therein noticed.

Wigton.

Mag. Sig. L. ix. No. 200.

XVIII. JOHN, fourth Earl of WIGTON, the eldest son, had a charter to John, Lord Fleming, and Anne Ker his wife, of the earldom of Wigton, 10th May 1662, succeeded his father 1665, and died in April 1668. He married Anne, second daughter of Hary, Lord Ker, son and heir apparent of Robert, first Earl of Roxburghe, and by her had one daughter,

Lady *Jean*, married to George, third Earl of Panmure, without surviving issue, and died in April 1683. *William*, fifth Earl of Wigton, was served tutor at law as nearest heir of her, 21st September 1669.

Inq. Ret. xxii. 273.

XVIII. WILLIAM, fifth Earl of WIGTON, was served heir male of his brother in his estates in the counties of Dunbarton, Haddington, Lanark, Peebles, Perth, Selkirk, and Stirling, 5th August 1668, and of his grandfather, 19th October 1678; was a privy councillor to Charles II. sheriff of the county, and governor of the castle of Dunbarton; and died 8th April 1681. He married, at Dalgety, in September 1670, Lady Henriet Seton, eldest daughter of Charles, second Earl of Dunfermline, and by her, who married, secondly, William, sixteenth Earl of Crawford, had issue,

1669. Inq. Ret. xxii. 85, 90, xxiv. 68.

Lamont's Ann. MS.

1. *John*, sixth Earl of Wigton.

2. *Charles*, seventh Earl of Wigton.

Daughter, Lady *Mary*, married 30th March 1695, to the Hon. Harry Maule of Kelly, and was mother of William, Earl of Panmure.

XIX. JOHN, sixth Earl of WIGTON, the eldest son, succeeded his father 1681; attended James VII. at St Germains; opposed the treaty of union in the Parliament 1706, voting against every article; and was committed prisoner to the castle of Edinburgh, at the breaking out of the rebellion, by warrant of Major-General Williams, 20th August 1715. His Lordship required the governor of the castle, under form of instrument, on the 19th of June 1716, to set him at liberty. The governor answered, that his Lordship being committed in time of war, could not be released without a special warrant from the king, or those having power from him. The Court of Justiciary, however, ordained the governor to set the prisoner at liberty, 24th June 1716.

Burnett's Criminal Law, 325.

He had the appointment of King's chamberlain of Fife, 1736, and dying at Edinburgh, 10th February 1744, in the 71st year of his age, was buried at Biggar. He married first, 14th March 1698, Lady Margaret Lindsay, second daughter of Colin, third Earl of Balcarres, by whom he had a daughter,

Wigton.

Lady *Margaret*, married to Sir Archibald Primrose of Dunipace, in the county of Stirling, baronet, without issue.

The Earl married, secondly, contract dated 8th February 1711, Lady Mary Keith, eldest daughter of William, ninth Earl Marischal, and by her, who died 1721, had one daughter,

Lady *Clementina*, married, in 1735, to Charles, tenth Lord Elphinston, and had issue, and died 1st January 1799, æta. 80. Her grandson, the Hon. Charles Elphinston Fleming, captain in the royal navy, member of parliament for the county of Stirling, possesses, in her right, the estates of Cumbernauld and Biggar, the antient inheritance of the Earls of Wigton.

His Lordship married, thirdly, Eupheme, daughter of George Lockhart of Carnwath, in the county of Lanark, author of the Memoirs of Scotland, but had no issue by her, who married, secondly, Peter MacElligot, major-general in the service of Maria Theresa, Empress Queen, and died at Bath 24th November 1762.

XIX. CHARLES, seventh Earl of WIGTON, succeeded his brother 1744, and died unmarried, at Elphinstone, 26th May 1747, when the family estates devolved on his niece Lady Clementina.

The title of Earl of Wigton was assumed by Charles Ross Fleming, M. D. of Dublin, eldest son of the Rev. James Fleming of Kilkenny, who voted at several elections without challenge. He was in 1761, ordered to attend the House of Lords, to shew by what authority he took that title. He presented to the king the humble petition of Charles Ross Fleming, claiming the title and dignity of Earl of Wigton, shewing that, in 1606, John, Lord Fleming, obtained by patent from King James VI. the title and dignity of Earl of Wigton, descendible to the heirs male of his body; that

Robertson's Proceedings, 296, 301, 311, 399, 412.

Wigton.

the said dignity descended lineally in the male line to Charles, Earl of Wigton, lately deceased, who left no issue; that the petitioner being the nearest heir male now existing, descended of the body of John, the first Earl of Wigton, he most humbly apprehends that he is entitled to that dignity, therefore most humbly prays that the said title and dignity of Earl of Wigton, and Lord Fleming, may be declared to belong to him and the heirs male of his body. This petition was referred to the House of Lords, 29th January 1762; and it was on the 25th of March following, ordered by the House, that Charles Ross Fleming, taking upon himself the title of Earl of Wigton, ought to be considered as having no right to the said title, until he should have made out his claim, and that in the meantime he should not be admitted to vote at elections. He died at London, 18th October 1769. His son, Hamilton Fleming, an officer in the 13th regiment of foot, presented to the King a petition, praying that it might be declared and adjudged that the petitioner was entitled to the title, honour, and dignity of Earl of Wigton, Lord Fleming and Cumbernauld, which petition was referred, 18th April 1776, to the House of Lords, who resolved, 6th February 1782, that the petitioner had no right to the titles, honours, and dignities claimed by his petition.

Wigton.

ARMS.—Quarterly, 1st and 4th argent, a chevron, within a double tressure, flowered, and counter-flowered, with fleurs-de-lis, gules, for Fleming; 2d and 3d azure, three cinquefoils, argent, for Fraser.

CREST.—A goat's head, erased, argent, armed, Or.

SUPPORTERS.—Two stags, proper attired, and ungufed, Or, each gorged with a collar, azure, charged with three cinquefoils, argent.

MOTTO.—*Let deed shaw.*

SETON, EARL OF WINTOUN.

Wintoun.

Caledonia, I. 517.

IN England there were of old two considerable families, named Say, who derived their descent from the same Norman original. The first of this ancient race who came into Scotland was,

Wintoun.

I. SECHER DE SAY, who obtained from King David I. lands in East Lothian, which from him were called Saytun, (the dwelling of Say,) whence his descendants obtained the name of Saytun, or Seton. He was succeeded by his son,

II. ALEXANDER DE SETON, who flourished under David I. and witnessed a charter of that Prince to William de Riddell, of several lands in Roxburghshire, now called the barony of Riddell. He was proprietor of Seton, Winton, and Winchburgh, and died in the end of the reign of Malcolm IV. leaving a son,

Dalr. Coll. 426.

III. PHILIP DE SETON, who got a charter from King William I. of the lands of Seton, Winton, and Winchburgh, quæ fuit Alexandri de Seton, sui patris, witnessed by David, Earl of Huntingdon, and others, and to which the King's seal is appended, according to Nisbet, who states that he had perused it. He witnessed a donation of William, of the church of Strathardel, to the monastery of Dunfermline, before 1203, and died in the end of the reign of that monarch, leaving issue,

Chart. in Fam. Arch. D.

Heraldry, I. 221.

Chartul. Dunf. 204, 4.

1. Sir *Alexander*.
2. *Thomas*, witness in several charters.

Robertson's Index, 134.

3. *Richard* de Setun, who witnessed a charter of Alexander II. 27th January 1240-1.

Chartul. Dunf. 529, 530, D.

Daughter, *Emma*, married to Adam de Polysworth, who got with her in free marriage, from her brother Sir Alexander, the lands of Fleming's Beath in Fife.

IV. Sir ALEXANDER SETON of Seton, the eldest son, is designed son of Philip in the chartularies of Dumfermline and Aberbrothwick. He witnessed many charters of Alexander II. particularly his confirmation of all donations made by his predecessors to the abbey of Kinloss, 1226. Dominus Alexander de Seton and Thomas de Seton witnessed a charter of Sir David de Graham to the monastery of Soltray, between 1227 and 1230. Alexander de Seton witnessed a donation of Sayer de Quinci, Earl of Winchester *, to the abbacy of Dumfermline, before 1233, and is also mentioned in a donation of the same Earl to the monastery of Newbottle, about the same period. He made a donation to the abbacy of Dunfermline, for the welfare of his soul, to which his brother Thomas de Seton was a witness, before 1246, and he died in the end of the reign of Alexander II., leaving by his wife Margaret, daughter of Walter de Barclay, chamberlain of Scotland, a son,

Chartul. of the Priory of St Andrews, 406, D.

Chartul. of Soltray, 10, D.

Chartul. of Dunf. 518, D.

Chartul. of Newbottle, 39, D.

Chartul. of Dunf. D.

V. SERLO or SECHER DE SETON, who with Malcolm, Earl of Fife, witnessed a donation of Alexander de Unyeth, to the monastery of Dunfermline, 1254. Serlo de Seton, and Alexander his son, witnessed a confirmation charter of a donation by Sir William Livingstone of Gorgyn, to the monastery of Holyroodhouse, 1263, and Dominus Serlo de Seton, miles, witnessed a donation to the abbacy of Aberbrothwick, 1265. He had issue,

Ibid. 354, D.

Original Writs of Holyroodhouse, 14. D.

Chartul. of Aberbroath, 52, D.

1. Sir *Alexander*.

2. Sir *John* de Seton, who, in a donation of Robert de Bruce, Lord of Annandale, to the priory of St Andrews, 1294, is designed Dominus Joannes de Seton, miles. Johan de Seton, swore fealty to Edward I. 1296.

Chartul. of St Andrews, 149, D.

Prynne, III. 657.

Daughter, *Barbara*, married to Sir William Keith, great marischal of Scotland.

* Sibbald (Fife, 369), quotes a charter of the Earl of Winchester to Adam de Seton, of the marriage of the heir of Alan de Fauside.

VI. Sir ALEXANDER SETON of Seton, the eldest son, witnessed a donation by Roger de Quincy, Earl of Winchester, constable of Scotland, and Alenore his wife, to the priory of St Andrews, 1262 *. He had two sons,

Wintoun.

Prynne, III. 406.

1. Sir *Christopher*.
2. Sir *Alexander*.

VII. Sir CHRISTOPHER SETON, the eldest son, married Lady Christian Bruce, third daughter of Robert, Earl of Carrick, sister of King Robert I., relict of Gratney, Earl of Marr. He was one of the chief associates of his brother-in-law, in his arduous attempt to restore the liberties of Scotland, and was present at his coronation at Scone, 27th March 1306. At the battle of Methven, 19th June following, Robert being unhorsed by Philip de Moubray, was rescued by Sir Christopher Seton, who, after the loss of that field, shut himself up in Lochdoun Castle in Ayrshire. That castle being surrendered to the English by Arthur, brother-in-law of Sir Gilbert de Carrick, Sir Christopher Seton was, by order of King Edward I., executed at Dumfries. Among the missing charters of King Robert I., is one of the foundation of a chapel near Dumfries, and L. 5 striveling dated thereto by the King, furth of the lands of Caerlaverock, where Christopher Seton, his good-brother, was slain in his Majesty's service. This chapel long remained, and had the name of Christoll's chapel. In the great seal register is a remission from Robert I. to Gilbert de Carryk, knight, on account of Arthur, his brother-in-law, having delivered up to the English the castle of Lochdoun, and Christopher Seton, the King's brother-in-law. It does not appear that he had any issue by Lady Christian Bruce †, (who married in

Dalr. Ann. II. 2, 7, 16.

Robertson's Index, 13.

Reg. Mag. Sig. 115.

* Among those who swore fealty to Edward I. in 1296, was Alisaundre de Seton, vallet, Richard de Seton, del Counte de Dunfres, and Johan de Seton of the same county. Prynne, III. 657, 662, 663.

† She was a prisoner in England. Edward II., on the 18th July 1314, issued an order to the prior of Sixhill, ordinis de Sempryngham, quod corpus Christianæ, sororis Roberti de Brus, quæ fuit uxor Christophori de Seyton, should be delivered up to the sheriff of Lincoln, to be brought before the King at York. Fœdera, III. 489. The wife, daughter, and sister of Robert de Brus, were ordered to be conduct-

Wintoun.

1326, Sir Andrew Moray of Bothwell, and had two sons by him); as Sir Alexander Seton of Seton, the successor of Sir Christopher, had several charters from King Robert I., Alexandro de Seton, militi, dilecto et fideli nostro, without any acknowledgement of consanguinity, while Thomas Randolph, the son of another sister, had charters from that monarch, dilecto nepoti nostro; and it is more consistent with chronology that Sir Alexander Seton was the brother, rather than the son, of Sir Christopher. According to Dalrymple's Annals, Alexander Seton, the brother of Sir Christopher, was put to death at Newcastle in 1306; but the authority there quoted is by no means decisive. Among the orders of Edward I. relative to the adherents of Robert I. in 1306, are directions for taking into custody Mons. Johan de Vaus et Mons Alexandre de Seton, when they shall return from the voyage they are gone with Mons. Johan Moubray towards the Isles; for seizing the castle of Dirleton, belonging to Vaus, and the lands, tenements, goods, and chattels of Alexander de Seton; and for bringing their persons before the King.

Fœdera, II. 1013.

VII. Sir Alexander Seton of Seton, the successor of Sir Christopher, was one of the Scotish patriots that signed the famous letter to the Pope asserting the independency of Scotland, 1320. The great seal register contains a charter of King Robert I., Alexandro de Seton, militi, dilecto et fideli nostro, pro homagio et servicio suo, totam illam terram cum pertin. quæ fuit quondam Alani la Suche in tenemento de Travirnent, una cum terris husbandorum quæ fuerunt dicti quondam Alani in villa et tenemento de Nodref, to be held in a free barony, cum carbonariis et nativis hominibus, &c. faciendo inde medietatem servicii unius militis. Sir Alexander de Seton had many grants from the same monarch, of the lands of Bernes and Place Moylin, near Haddington; of the lands of Gogar, in the county of Edinburgh; of the lands of Setou in a free burgh of barony; of the lands of Fawsyde, forfeited by Alan la Suche*; of the barony of Travernent, forfeited by William Ferraris*; of the lands of Elphingstoun, Mylyis, and the commonty of Tranent, forfeited by the Earl of Buchan*; and of the superiority of the lands of Dundas and Westercraigs, and some lands in Queensferry; this last charter is dated 13th April 1322. Sir Alexander de Seton had, from Patrick, Earl of March, a charter of the lands of Halsyngton in Berwickshire. Sir Alexander de Seton had a safe conduct into England, 7th January 1320, and King Robert I. applied for another, 21st March 1323, for him to treat with the English. Sir Alexander Seton was governor of the town of Berwick, when it was besieged by the English, 1333, and gave his son Thomas as a hostage to King Edward III. for the surrender of the place within a limited period, if not succoured. Succours were thrown in under the command of Sir William Keith, who assumed the government of Berwick, and refusing to deliver up the town, Edward ordered Thomas Seton to be executed in sight of his father. Berwick surrendered after the defeat of the Scotish army at Halidonhill, 19th July 1333. Sir Alexander Seton was present in Baliol's parliament, 10th February 1333-4, when he witnessed the concession of Berwick to the English; had a safe conduct to go into England, 15th October 1337; was one of the hostages for John, Earl of Moray, when he was liberated for the time in August 1340, and appears to have died not long afterwards†. He married Christian, daughter of Cheyne of Straloch, and had issue,

Wintoun.

Fœdera, III. 809, 1014.

Dalr. Ann. III. 96.

Fœdera, IV. 595, 822. V. 200, 202.

Fordun, II. 275.

Reg. Mag. Sig. 11.

Robertson's Index, 11, 15, 16, 21, 22, 27.

1. *Alexander* Seton, "the son," killed in opposing the landing of Edward Baliol near Kinghorn, 6th August 1332, was probably the eldest son of Sir Alexander.

Dalr. Ann. II. 164. Fordun, II. 304.

2. *Thomas*, given by his father as a hostage to Edward III., and put to death by

Ibid. 311.

ed to Carlisle, 2d October 1314. Ib. 496. Christian Bruce died in 1357. Fordun, II. 360.

* The three daughters and heiresses of Roger de Quincy, Earl of Winchester, married William de Ferrariis, Earl of Derby, Alexander, Earl of Buchan, and Alan la Suche. Vol. I. p. 614.

† Frater Alexander de Seton, miles, hospitalis sancti Johannis Jerusalem in Scotia, had a safe conduct into England on the affairs of King David II., 12th August 1348. Fœdera, V. 364. He probably was an ecclesiastic, or it may be that Sir Alexander entered into that religious order in the decline of life, to obtain clandestine admission into Paradise.

Wintoun.

Fordun, II. 310.

the English monarch, before the walls of Berwick, in July 1333.

3. *William*, drowned in an attack on the English fleet at Berwick, in sight of his father, in July 1333.

Daughter, *Margaret*.

VIII. MARGARET SETON, heiress of Seton, married Alan de Wyntown. This marriage produced a feud in East Lothian, and occasioned more than a hundred ploughs to be laid aside from labour*. Wyntown was supported by William de Murrawe, governor of the castle of Edinburgh. According to Wyntoun's Chronicle, this affair took place in 1347, which is probably the true date, and not 1336, as stated in Fordun. Among the missing charters of David II. is one to Margaret Seton, daughter of the deceased Sir Alexander Seton, of her tocher of the twenty pound land of Lamington. The late learned Lord Hailes wrote a dissertation on the genealogy of the family of Seton, drawing the conclusion that Sir Alexander Seton, who signed the letter to the Pope 1320, who was governor of Berwick 1333, who was present in Baliol's parliament 1334, and who was a commissioner to England 1340, was one and the same person. It is however remarkable, that Lord Hailes does not therein notice the marriage of the heiress of Seton to Alan de Wyntown, although he mentions it in his Annals, and it is narrated by Wyntown and Fordun. It is more than probable that Alan de Wyntown was a cadet of the Seton family, as Winton belonged to Alexander and Philip de Seton, as already mentioned. Be this as it may, the posterity of Alan de Wintown bore the name of Seton†. He died in the Holy land, leaving a son,

Wyntoun, II. 267. Fordun, II. 337. Dalr. Ann. II. 290.

Robertson's Index, 62.

Dalr. Ann. III. 77.

Sir *William* Seton;—and a daughter,

Christian, or *Margaret*, married to George, tenth Earl of Dunbar and March.

* A favourable opinion will, from this circumstance, be formed of the progress of agriculture in that well-cultivated county; and in 1298 the English soldiers, at the siege of Dirleton Castle, subsisted on the pease and beans they *picked up in the fields*. Dalr. Ann.

† Among those who swore fealty to Edward I., in 1296, were Aleyn de Wynton, Thomas de Wynton, and Gode de Wynton. Prynne III., 656, 658, 659, 660.

IX. Sir WILLIAM SETON of Seton, the only son, was a distinguished knight, who visited Jerusalem. King David II., by charter dated 23d October 1369, confirmed that donation which William de Seton had made to Adam Forest of two carucates of land in the town of Nudreff, in the constabulary of Linlithgow. William de Setoun granted a charter dilecto armigero nostro Johanni de Favsyd, *pro bono et fideli servicio mihi impenso et impendendo*, of the whole lands of Wester Favsyd, in the barony of Traverment, confirmed by King Robert II., 20th June 1371. A charter was granted by Robert, Duke of Albany, 27th March 1408, confirming that impignoration which our beloved William de Setoun, knight, had made with consent of our beloved cousin, John de Setoun, knight, his son and heir, to our beloved son, Walter de Haliburton of Dryltoun, of an annualrent of 50 marks out of his barony of Traverment, as well out of the lands as out of the coalworks of the same, for 500 marks due to the said Walter, for the marriage of Elisabeth de Gordoun, daughter and heiress of the deceased Adam de Gordoun, to be held by the said Walter, his heirs or assigns, till the said sum of 500 marks is paid by the said William de Setoun, or his heirs, in the parish church of Gulyne. Sir William Seton married Catherine, daughter of Sir William Sinclair of Herdmanstoun, and had issue,

Wintoun.

Reg. Mag Sig. 76, 97, 232.

1. Sir *John*.

2. Sir *Alexander* de Seton, who married Elisabeth de Gordon, daughter and heiress of Sir Adam de Gordon, with whom he got a great estate, and was ancestor of the Duke of Gordon, the Setons of Touch, Meldrum, &c. See title Duke of Gordon*.

1. *Margaret*, married to John, Lord Kennedy. [qu.?]

2. *Marian*, married to Sir John Ogilvy of Lintrathen.

3. *Jean*, married to John Lord Lyle.

4. *Catherine*, married to Bernard Haldane of Gleneagles.

* The ancestor of the Setons of Parbroath and Lathrisk, was probably a younger son of Sir William Seton. Alexander Seton of Parbroath, and Catherine de Creichtoun his wife, had a charter of half of Leuchlands, 8th January 1472-3. Mag. Sig. L. vii. No. 275.

Wintoun.

Robertson's Index, 143.

X. Sir JOHN SETON of Seton, the eldest son, miles acerrimus, et Anglis semper infestus, had a charter from King Robert III. of the lands of Barnes and Wintoun, and was taken at the battle of Homildon, 1402. John de Seton, miles, had a safe conduct to come into England as a hostage for the Earl of Douglas, 21st September 1405, again, 30th January and 3d November 1406. Among the hostages nominated for the release of King James I., by the treaty of 4th December 1423, was Johannes, Dominus de Setoun, miles, vel filius ejus et hæres, his annual revenue being estimated at 600 marks. Johannes Seton, Dominus de Seton, vel hæres suus, had a safe conduct to Durham, to meet the king, 13th December 1423, and Johannes dominus de Seton was one of the guarantees of the treaty for his Majesty's release, 28th March 1424. It is said that he was created a lord of parliament the same year, and that he died in 1441; but no authority is given. He married Lady Janet Dunbar, daughter of George, tenth Earl of Dunbar and March, and by her had a son,

Fœdera, VIII. 417, 429, 437. X. 308, 332.

Sir *William*;—and two daughters,

1. *Christian*, married to Norman Lesley of Rothes, for which a papal dispensation was obtained in September 1415, permitting them to marry, notwithstanding their being in the fourth degree of consanguinity.

A. Stuart, 442.

2. *Janet*, married to Robert Keith, Master of Marischal. This however is doubtful, and hardly consistent with chronology.

Sir John Seton had a second wife, Catherine, who was alive in 1449.

XI. Sir WILLIAM SETON, the only son, accompanied the Scotish auxiliaries to the assistance of Charles the dauphin of France, and was killed at the battle of Verneuil in Normandy, in the lifetime of his father, 17th August 1424. He had a son,

Fordun, II. 337.

George; and two daughters,

A. Stuart, 163.

1. *Catherine*, married, first, to Alan Stuart of Dernelcy, secondly, to Herbert Lord Maxwell of Caerlaverock, and had issue by both. She was mother of the first Earl of Lennox.

2. *Janet*, married first to John, second Lord Halyburton, secondly, to Edward Congalton of Congalton.

XII. GEORGE SETON of Seton, the only son, is particularly mentioned in a note on Fordun, by the transcriber of the Cupar MS. of the Scotichronicon, who says that Alan of Wyntoun and his wife, the heiress of Seton, had a son, William, father of John, father of William, father of Lord George, then alive; and adds, hos quatuor milites ego qui hæc chronica collegi, bene cognovi, de quibus tres primi statura proceri et valentes fuerunt. George Seton of Seton granted a charter to his cousin Robert de Seton, and the heirs male of his body; which failing, to the said George and his heirs whatsoever, of the lands of Eastbernys in the constabulary of Haddington, 12th December 1438. Georgius, Dominus de Setoun, accompanied Crichton the chancellor on his embassy to France and Burgundy, and had a safe conduct to pass through England, 23d April 1448. He soon afterwards was created a peer of parliament; George, Lord Seton granted a charter to Catherine de Seton, relict of the deceased John de Seton of Seton, of part of Lougniddry, in exchange for her terce of Loustoun and Kynwod in Perthshire, 20th June 1449. He was a great householder, and all given to nobleness. He had a charter to George, Lord Seton, and Christian his wife, of the lands of Hertished and Clintis in Berwickshire, on his own resignation, 8th January 1458-9. He was one of the ambassadors to England to whom a safe conduct was granted, 16th March 1472, being designed Georgius, Dominus Seton, again 24th August 1473, under the designation of Georgius, Dominus de Setoune. He died in the place of the Blackfriars at Edinburgh, after 13th July 1478, (the date of a charter granted by him), and was buried in the choir of the same, giving to them 20 marks of annualrents out of the lands last mentioned. He married, first, Lady Margaret Stewart, only daughter and heiress of the gallant John, Earl of Buchan, constable of France, killed at Verneuil 1424, for which marriage a papal dispensation was obtained in January 1436, on their petition, quod ipsi non ignorante se duplici tertio gradu consanguinitatis esse conjunctos matrimonium inter se per verba de presenti legitime contraxerunt et carnali copula consumarunt. Cum autem ipsi ob-

Wintoun.

Fordun, II. 337.

Mag. Sig. L. iii. No. 21.

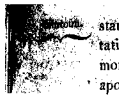
Fœdera, XI. 213.

Mag. Sig. L. iv. No. 11.

L. v. No. 45.

Fœdera, XI. 749, 775.

A. Stuart, 402.



stante impedimento quod ex consanguinitatis gradu huoi provenit in dicto matrimonio remanere nequeant, dispensatione apostolica super hoc non obtenta, et si divortium fieret inter ipsos gravia possent inter eorum consanguines amicos scandala verisimiliter excriri, dicta Margareta diffamata perpetuo remaneret. Therefore the sentence of excommunication was taken off, and they were permitted to marry de novo, and the progeny to be procreated betwixt them was legitimated. They had a son,

John.

He married, secondly, Christian Murray, of the house of Tullibardine; they had a daughter,

Christian, married to Hugh Douglas of Corehead, a good like man, and a wise councillor of her father. A charter was granted to Hugh Douglas of Borg, and Christian his wife, daughter of George Lord Seton, by her father, 15th July 1478, of the lands of Clents and Neyer Hartside in Berwickshire, confirmed 26th January 1478-9.

Mag. Sig. L. viii. No. 127.

XIII. JOHN SETON, the only son, died in the lifetime of his father. He married Christian, daughter of John, first Lord Lindesay of Byres, and by her, who married, secondly, Robert, Lord Kilmaurs, properly second Earl of Glencairn, had a son,

XIV. GEORGE, second Lord SETON, who succeeded his grandfather, and was one of the commissioners for settling differences on the marches, appointed by the treaty of Nottingham, 22d September 1484. He founded the collegiate church of Seton, 20th June 1493, and endowed it for the support of a provost, six prebendaries, and two singing boys. George, Lord Seytoun, was one of the conservators of treaties with the English, 30th September 1497, and 12th July 1499, and witnessed the assignation of the dower of Margaret, Queen of Scotland, 24th May 1503. He had a charter of one-fourth of the lands of Binning, in the county of Linlithgow, 14th July 1503, and died 1507. He was meikle given to leichery, and was cunning in divers sciences, as in music, theology, and astrology; he was so given to learning, that after he was married he went to St Andrews and studied there long, and then went to Paris for the same purpose. He was, on a voyage to France, taken by some Dunkirkers, and plundered; to be revenged of them he bought a great ship called the Eagle, and harassed the Flemings. The keeping of that ship was so expensive that he was compelled to wadset and dispose of several lands.

Fœdera, XII. 245.

Keith's Catal. 288.

Fœdera, XII. 676, 726. XIII. 64.

Mag. Sig. L. xiii. No. 541.

Wintoun.

He married Lady Margaret Campbell, eldest daughter of Colin, first Earl of Argyll, and by her had issue,

1. *George*, third Lord Seton.

2. *John*, who married Sinclair, heiress of Northrig, with whom he got these lands, and was ancestor of the Setons of Northrig.

Carta in Pub. Arch. D.

Daughter, *Martha*, married to Sir William Maitland of Leithington.

XV. GEORGE, *third Lord* SETON, had charters to "George, Master of Seton," and Jonet Hepburn his wife, of the lands of Seton, &c. 25th January 1506-7, and to "George, Lord Seton," and Janet Hepburn his wife, of the lands of Wintoun and Mylis, in the barony of Tranent, 6th April 1508, and of East and West Barns, in the county of Haddington, 1st February 1511-2. He was a good man, and right familiar with King James IV., with whom he fell at the battle of Flodden, 9th September 1513. He redeemed several of the lands wadset by his father; and married Lady Janet Hepburn, eldest daughter of Patrick, first Earl of Bothwell. She survived her husband 45 years, was a noble wife, and wise; she managed her son's estate till he came of age, and then removed to the nunnery of Sciennes near Edinburgh, where she died in 1558. She had one son,

Mag. Sig. L. xiv. No. 416. L. xv. No. 5. L. xviii. No. 12.

George, fourth Lord Seton;—and a daughter,

Mariot, married, first, to [William,] Master of Borthwick; secondly, to Hugh, second Earl of Eglintoun.

XVI. GEORGE, fourth Lord SETON, the only son, had charters, to him and Elisabeth Hay his wife, of the lands of Winchelburgh, 15th June 1527; to him of Gamilstoun and Reidieshill, in the barony of Yester, by John, Lord Hay of Yester, 22d June 1531; of the barony of Winchburgh,

Mag. Sig. L. xxi. No. 92. L. xxiv. No. 192. L. xxvi. No. 290. L. xxviii. No. 160. L. xxx. No. 180.

Wintoun.

the lands of Craigie and Dundas, erected into the barony of Nudre, 19th March 1540-1; and to him and Mary Pyerres his wife, of Winchburgh and East Nudre, 27th June 1548 *. He was appointed one of the extraordinary lords of session 5th March 1542, and assented to the match betwixt Queen Mary and Prince Edward of England, 1543. Cardinal Bethune was placed in his custody that year, but he permitted him to escape, which disconcerted the measures of the English party. He died soon after the date of the last mentioned charter, leaving the character of a wise and virtuous nobleman. He was well experienced in all games, and was reckoned the best falconer in his days. He got in feu from Cardinal Bethune the ecclesiastical lands of Kirklistoun, Ecclesmachan, Castlebok, Dalkeith, and Laswade, redeemed lands wadset by his grandfather, and made several purchases near Winchburgh, where he built the Castle of Niddery.

Fœdera, XV. 3.

Sadler, I.

He married, first, Elisabeth, daughter of John, Lord Hay of Yester, by whom he had issue,

1. *George*, fifth Lord Seton.

2. *John*, who married Isabel Balfour, with whom he got the lands of Carraldstane, in Fife, of which a charter was granted to John Seton, brother german of George, Lord Seton, and to Isabel Balfour, his wife, on her resignation, 9th October 1553. He was ancestor of the Setons of Carriston, as specified in Douglas's Baronage, 185.

Mag. Sig. L. xxxi. No. 171.

3. *James*.

1. *Marian*, married to John, fourth Earl of Menteth, secondly, to John eleventh Earl of Sutherland.

2. *Margaret*, married to Sir Robert Logan of Restalrig.

3. *Eleanor*, married to Hugh, seventh Lord Somerville.

* A charter was granted of the lands of Waintoun, in the barony of Seton, by George, Lord Seton, to John Seton, his second son, and the heirs-male of his body legitimately to be procreated, which failing, to George Seton, son and heir apparent of George Lord Seton, and James Seton, third son of the said Lord, and the heirs-male of their bodies legitimately to be procreated, respectively. This charter has no date, but is among the charters of 1545, Mag. Sig. L. xxix. No. 230.

4. *Beatrix*, married to Sir George Ogilvy, of Dunlugus.

Wintoun.

Lord Seton married, secondly, Mary Pyerres, or Peris, a French lady who came into Scotland with Mary of Lorrain, by whom he had a son,

Robert, who had a charter under the great seal, 22d February 1562-3, to Robert Seton, son of the deceased George, Lord Seton, procreated betwixt him and Mary Peris his wife, proceeding on an infeftment from the said Lord Seton, dated 25th February 1548-9, of the lands of Mylyis and Greendykes, in the barony of Tranent.

Mag. Sig. L. xxxi. No. 320.

XVII. GEORGE, fifth LORD SETON, the eldest son, had a charter of the lands of West Nudre, to him and Isabel Hamilton his wife, reserving her terce to Mary, wife of the deceased George, Lord Seton, 25th May 1552. He was one of the commissioners appointed by the parliament of Scotland, 17th December 1557, to be present at the marriage of Queen Mary with the Dauphin of France. He adhered to the party of the Queen Dowager against the lords of the congregation, 1559, and, on Queen Mary's return from France, was sworn a privy councillor, and appointed master of the household to her Majesty. After the murder of Lord Darnley, the Queen and Bothwell went to Seton, where they passed some days, and there the contract of marriage betwixt them was signed.

Mag. Sig. L. xxxi. No. 734.

Lord Seton was one of those who waited for the Queen on the banks of Lochleven, in May 1568, when she escaped from thence, conducted her by his Castle of Niddry to Hamilton, and joined the association in her behalf. After the battle of Langside, Lord Seton retired to Flanders, where he remained in exile two years, and drove a waggon with four horses, for his livelyhood; his picture in that employment was painted on the north end of the long gallery of Seton *. He was in Scotland in April 1570, actively

Bannatyne's Journal.

* In Pinkerton's Scotish gallery is an engraving of a painting of the Seton family, by Sir Antonio More, who flourished from 1550 to 1575. It consists of G. S. 39, R. S. 19, J. S. 18, M. S. 18, A. S. 14, and a boy unmarked; being George, Lord Seton, and Robert, John, Margaret, Alexander, and William, his five youngest children.

employed in the cause of Queen Mary, and the same year he was sent to the Low Countries, to solicit the Duke of Alva to assist the friends of her Majesty in Scotland. He was sent ambassador to France, by King James VI. in 1583, and dying 8th January 1584-5, aged about 55, was buried at Seton, where is a monument to his memory. He married Isabel, daughter of Sir William Hamilton of Sanquhar, high treasurer of Scotland, and by her, who died 19th November 1606 aged about 75, had issue,

Mag. Sig. L. xxxi. No. 236.

1. *George*, Master of Seton, who had charters to "George Seton, son and heir "apparent of George, Lord Seton," of the lands of West Nudre, Hartisheid, and Clintis, reserving her terce to Isobel Hamilton, wife of George, Lord Seton, 6th August 1554, and of the barony of Seton, Wintoun, and Tranent, on the 8th of the same month. He died in March 1562; his brother Robert was served heir of him in the barony of West Nudre, 3d February 1603.

2. *Robert*, sixth Lord Seton.

3. Sir *John* Seton of Barns, knight of the order of St Jago, master of the household, and one of the gentlemen of the bedchamber to King Philip II. of Spain. Being recalled into Scotland by King James VI., he was appointed one of the extraordinary lords of session, (in room of his brother Alexander constituted an ordinary lord,) 17th February 1587, and he died before 11th June 1594, when a successor was appointed in his place deceased. He married, Anne, youngest daughter of William, seventh Lord Forbes, and was ancestor of the Setons of Barns. Sir John Seton of Barns was served heir of his father Sir John Seton of Barns, 3d October 1615.

Inq. Ret. vi. 206.

4. *Alexander*, Earl of Dunfermline.

5. Sir *William* Seton of Kyllismore, sheriff of the county of Edinburgh, and postmaster of Scotland, who had a charter 8th February 1587-8, to William Seton, brother-german of Robert, Lord Seton, of the King's lands of Quhyt park, Grange de Sannick, Westfield, and Knokain; and dying at Haddington in 1634, aged 73, was buried at Seton. He married a daughter of Stirling of Glorat, and had two sons, Sir William Seton, postmaster of Scotland, who was, 8th September 1636, served heir of Sir William Seytoun of Kyllismore, knight, his father, in Garvaldgraing and other lands in the county of Haddington, and died in 1662; and John, who died in France, both without issue.

Mag. Sig. L. xxxvii. No. 51.

Wintoun. Inq. Ret. xv. 210.

Daughter, *Margaret*, married to Lord Claud Hamilton, commendator of Paisley, was mother of the first Earl of Abercorn, and died in March 1616.

XVIII. Robert, seventh Lord Seton, had charters to "Robert, Lord Seton," of the port of Cowkany, erected into a free port and burgh of barony, 5th April 1591, and of the lands of St Germains, 14th December 1599. He was in great favour with King James VI., was very hospitable, kept a noble house, the King and Queen being frequently at Seton, where all foreigners of quality were splendidly entertained. His father left the estate much involved, but by his own and his lady's prudent management, he put the same in good condition. He was created Earl of Wintoun, Lord Seton and Tranent, by charter dated 16th November 1600, erecting the lordship of Seton into the earldom of Wintoun, to him and his heirs male. He died in 1603, and was buried on the 5th of April that year, being the day King James VI. took his journey to England. His Majesty was pleased to rest himself at the south-west round of the orchard of Seton, on the highway, till the funeral was over, that he might not withdraw the noble company, and he said that he had lost a good, faithful, and loyal subject.

Mag. Sig. L. xxxvii. No. 433. L. xxxviii. No. 265.

Mag. Sig. L. xliv. No. 136.

He married Lady Margaret Montgomery, eldest daughter of Hugh, third Earl of Eglintoun, heiress of her nephew the fifth Earl, and by her had issue,

1. *Robert*, second Earl of Wintoun.
2. *George*, third Earl of Wintoun.
3. *Alexander*, sixth Earl of Eglintoun.
4. Hon. Sir *Thomas* Seton, ancestor of the Setons of Olivestob.
5. Hon. Sir *John* Seton. A charter was granted to Lady Margaret Montgomery, Countess of Wintoun, and John Seton her youngest son, of the lands of Aldingstone, Greendykes, &c. 14th January 1617; and he had a charter from his brother, George, Earl of Wintoun, of the lands of St Ger-

Mag. Sig. L. xlviii. No. 187

Wintoun. mains, to him and Margaret Kellie, his affidate spouse, 3d July 1620. He had only a daughter, married to Alexander Menzies of Coulterallers.

Daughter, Lady *Isabel*, born 30th November 1593, married, first, to James, first Earl of Perth, secondly, to Francis Stewart, eldest son of Francis, Earl of Bothwell, and had issue by both.

XIX. ROBERT, second Earl of WINTOUN, the eldest son, had a charter to Robert, Master of Wintoun, and Anna Maitland his wife, of the lordship of Wintoun, 22d March 1603. He was, under the designation of Robert, Earl of Wintoun, Lord Seytoun, served heir male of George, Lord Seton, his grandfather, and Robert, Earl of Wintoun, Lord Seton, his father, in the lands and baronies of Seton, Wintoun, Tranent, Easter and Wester Barnes, and West Nudrie, 21st April 1607. It appears that he resigned the titles and estates to his brother the same year, and was thenceforward styled simply Robert Setoun. Under that designation he was served heir of Robert, Earl of Wintoun, his father, in the port and burgh of barony of Cowkainy, erected into a free port and burgh of barony, 24th December 1633. He married, Anne, daughter of John, Lord Thirlestane, high chancellor of Scotland, sister of John, first Earl of Lauderdale, but by her, who died 6th July 1609, æta 20, had no issue. His brother,

Mag. Sig. L. xliii. No. 236.

Inq. Ret. iii. 236.

Ibid. xii. 138.

XIX. GEORGE, third Earl of WINTOUN, was born in December 1584, and had a charter to George, Master of Wintoun, of the barony of Seton, and earldom of Wintoun, with the name, state, title, honour, and dignity of the said earldom, to him and the heirs male of his body, remainder to Sir Alexander, Sir Thomas, and Sir John, his brothers, and the heirs male of their bodies respectively, remainder to his nearest heirs male, as mentioned in the infeftments of the estate of Wintoun, they carrying the name and arms of Seton, 12th May 1607. He thus got the title in the lifetime of his elder brother. George, Earl of Wintoun, had charters of Innernytie, in Perthshire, 30th January 1612, of the office of justice-general of the regality of St Andrews south of Forth, 12th March 1618; to him and his son George, Lord Seton, of the earldom of Wintoun, de novo unit. 22d April 1619; to him of the lands of Upcraigie and teinds of Longniddry, 29th June 1621, of half of the lands of Strabrock, united into the barony of Broxburn, 24th December 1628, and of the port and burgh of barony of Cockany, 25th January 1634. He erected the noble house of Wintoun, 1619, acquired from Sir George Douglas some lands in the east end of Longniddry, and other lands there from Bothwell, Lord Holyroodhouse, and Forrester of Corstorphine; he also bought the lands of Garleton, and Athelstanefoord; built twelve saltpans in Cockenzie, where none formerly were, and erected at a great charge a harbour in the west end of that town, which was destroyed by a storm in January 1635. He lived honourably, and kept a great house at Seton, where he entertained King James VI. and his whole court in 1617, and King Charles I., with all his retinue, both Scots and English, twice in 1633. He was one of those who waited on the King after the pacification 1639; and on the engagement for the rescue of his majesty 1648, he gave to the Duke of Hamilton, the commander in chief, L. 1000 sterling in free gift for his equipage. When Charles II. came to Scotland, the Earl of Wintoun waited on him, and continued with his Majesty till November 1650, when he went home in order to prepare for the solemnity of the coronation, but died on the 17th of December that year, æta. 65, and was buried at Seton. Wintoun.

Mag. Sig. L. xiv. No. 12.

An Pub. Arch.

He married, first, Lady Anne Hay, eldest daughter of Francis, eighth Earl of Errol, by whom he had issue,

1. *George*, Lord Seton.

2. Hon. *Christopher* Seton, born 2d March 1617, died 30th June 1618. Tranent Reg.

3. *Alexander*, Viscount of Kingston.

4. *Francis*, born 1st May 1623, and another son, died young.

1. Lady *Margaret*, born 28th March 1615, died unmarried in 1637. Ibid.

2. Lady *Elisabeth*, married in 1637, to William, seventh Earl Marischal, and had issue, and died in 1650, in her 28th year.

The Earl of Wintoun married, secondly,

Elisabeth, daughter of John, Lord Herries, and by her had issue,

1. Hon. *Christopher* Seton, born 28th June 1631, a great scholar, who going on his travels with his brother William, was lost on the coast of Holland, in July 1648.

2. Hon. *William* Seton, born 8th January 1633, a hopeful young man, who perished with his brother 1648.

Ibid. 3. Hon. Sir *John* Seton of Gairmiltoun, (now Garletoun,) born 29th September 1639, who was created a baronet 9th December 1664, and died in February 1686, æta. 47. He married Isabel, daughter of John Home of Renton, and had several children. His son Sir George Seton, was served heir of him, 13th October 1686, in the lands of Athelstainfoord, Gairmiltoune, &c. His son Sir George Seton of Garletoun, engaging in the rebellion, was taken at Preston, 13th October 1715, and died at Versailles, 9th March 1769, æta. 84. This family still subsists in the male line, though dispossessed of the estates.

Inq. Ret. xxxix. 123.

Tranent Reg. 4. Hon. Sir *Robert* Seton of Windygoul, born 10th November 1641, who was created a baronet, 24th January 1671, but died without issue, before 20th February 1672, when Sir John Seton his brother was served heir of him.

Inq. Ret. xxxi. 16.

1. Lady *Isabel*, married to Francis, Lord Sempill, without issue.

Tranent Reg. 2. Lady *Sophia*, born 2d February 1630, died young.

Ibid. 3. Lady *Anne*, born 30th September 1634, married at Wintoun, April 1654, to John, second Earl of Traquair, and had issue.

Ibid. 4. Lady *Jean*, born 26th January 1636, died unmarried.

5. Lady *Mary*, married to James, fourth Earl of Carnwath, and had one daughter.

XX. George, Lord Seton, the eldest son, was imprisoned in the tolbooth of Edinburgh, for his loyalty, in May 1645, fined in L. 40,000 Scots, and in July following he was ordered to sell as much of the baronies of Winchburgh and Niddry, at seven years purchase, as would discharge his fine. He joined Montrose after the battle of Kilsyth, in August 1645, was made prisoner at the defeat of the royalists, at Philiphaugh, next month, and confined at St Andrews, and in the castle of Edinburgh, from whence he was not liberated till his father gave a bond of L. 100,000 Scots, for his appearance when called. He died at Seton, 4th June 1648, æta. 35. He married, in 1639, Lady Henriet Gordon, second daughter of George, second Marquis of Huntly, and by her, who took to her second husband, in 1649, John, second Earl of Traquair, and died in December 1650, had four sons,

Minutes of Parliament, D.

1. *George*, fourth Earl of Wintoun. .

2. Hon. *Alexander* Seton, born 21st January 1644, died young. Tranent Reg.

3. Hon. *Christopher* Seton, born 13th April 1645, died unmarried. Ibid.

4. Hon. *Francis* Seton, died young.

XXI. *George, fourth Earl of Wintoun*, the eldest son, succeeded his grandfather 1650, being then about ten years of age; and was served heir male of him in his property in the counties of Berwick, Edinburgh, Haddington, Linlithgow, and Stirling, 12th May 1653, and 28th August 1665, and heir of him in his property in the counties of Banff and Elgin, 28th September 1655. Notwithstanding his youth, a fine of L. 2000 was imposed on him by Cromwell's act of grace and pardon, 1654. Travelling into France, he was in the French army at the siege of Bizaulson. Returning home by England, he was sworn a privy councillor to King Charles II., commanded the East Lothian regiment at the defeat of the covenanters at Pentland, 1666, and at the battle of Bothwell-bridge, 1679, after which he entertained the Duke of Monmouth and his officers at Seton. He was constituted sheriff of the county of Haddington, 1682; accompanied the Duke of York to Scotland in May 1682, when the ship was lost; and went with his regiment against the Earl of Argyll, 1685. A charter was granted to George, Earl of Wintoun, Lord Seton, and Tranent, 31st July 1686, of the earldom, lordship, and regality of Wintoun, and his title, honour, and dignity, to him and the heirs male of his body; which failing, to whatever person or persons he might think proper to nominate, at any time of his life, etiam in articulo mortis, and the heirs male of their bodies; which failing, and if he did not make such nomination.

Inq. Ret. xxi. 184. xxiii. 205.

Wintoun.

or did revoke or cancel such nomination, then to his heirs male; which failing, to his nearest heirs and assigns whatsoever, the eldest daughter or heir female succeeding without division, and marrying a gentleman of the name of Seton, or who should assume the name, and carry the arms of the family of Wintoun. He died 6th March 1704. He married first, 4th September 1662, Lady Mary Montgomery, eldest daughter of Hugh, seventh Earl of Eglintoun, by whom he had one daughter, Lady *Mary*, who died young. His second wife was Christian, daughter of John Hepburn of Alderston, in the county of Haddington, and by her, who died in 1704, had two sons,

1. *George*, fifth Earl of Wintoun.

2. Hon. *Christopher* Seton, who died in 1704, unmarried.

XXI. GEORGE, fifth Earl of WINTOUN, is thus noticed by a contemporary. "He "is a young gentleman who hath been "much abroad in the world, is mighty "subject to a particular caprice, natural to "his family, hath a good estate, a zealous "protestant, not 25 years old." At the time of the death of his father he was abroad, and it was not known where he resided, as he corresponded with no person in Scotland. Having been born several years before the marriage of his parents, and the Viscount of Kingston, the next heir, doubting of his legitimacy, the Earl of Wintoun, in 1710, took steps for serving himself heir to his father. The only witnesses in life, who were present at the marriage, were Sir John Ramsay, and James Smith clerk of Tranent; the latter being taken ill, the Earl 24th June 1710, petitioned the Court of Session to have him examined directly, and the Lords ordered two of the macers to go to Tranent that afternoon, and take his oath as to his presence at the marriage. At the breaking out of the rebellion 1715, he raised a troop of horse, and joined the rebels from Northumberland, at Kelso, 19th October. He opposed the marching into England, saying they had full business in Scotland, and that the best service they could do was to assist the Earl of Marr in reducing the Duke of Argyll, after which the kingdom would be their own. This advice was overruled by the assurances from the English of support in Lancashire. About 500 of the rebels were so much dissatisfied, that they left the army. Lord Wintoun also went off with part of his troop, declaring that they were taking the way to ruin themselves. However, he joined again soon afterwards, though not at all pleased with the proceedings of the army, and he was never afterwards called to a council of war. He was taken at Preston, 14th November 1715, tried for high treason, 15th March 1716, found guilty, sentenced to be executed, and his estate of L. 3393 per annum, with his honours, forfeited to the crown. He found means to escape out of the Tower of London, 4th August 1716, and died, unmarried, at Rome, 19th December 1749, aged upwards of 70. Thus terminated one of the principal houses in Britain, after subsisting for upwards of 600 years in East Lothian, and from thence spreading into several flourishing branches in Scotland, the Duke of Gordon, the Earls of Eglintoun, and Aboyne, being descendants of this family in the male line.

Macky's Memoirs.

Fountainhall's Decisions.

ARMS.—Quarterly, 1st and 4th, Or, three crescents, within a double tressure, flowered and counter-flowered, with fleurs-de-lis, gules, for Seton; 2d and 3d azure, three garbs, Or, for the earldom of Buchan. Over all, an escutcheon party per pale, gules and azure, the first charged with a sword in pale, proper, pommeled and hilted, Or, supporting an imperial crown, with a double tressure of the last, as a coat of augmentation for their loyalty; the second charged with a star of twelve points, argent, for the title of Wintoun.

CREST.—On a ducal coronet, Or, a dragon, vert, spouting fire, his wings elevated.

SUPPORTERS.—Two foxes, proper, collared and chained, Or, each collar charged with the three crescents, gules.

MOTTO.—*Invia virtuti via nulla*; upon a scroll coming behind the shield, and passing over the middle of the supporters, *Intaminatis fulget honoribus*; and over the crest, the family slughorn, *Set on.*

Wintoun.

GIFFARD, LORD OF YESTER.

Yester.

Dugd. Bar. I. 89, also 499, 502.

THE Giffards came into England with William the Conqueror, with whom they were nearly connected. Walter Giffard, son of Osberne de Bolebec, and Avelina his wife, sister of Gunnora, Duchess of Normandy, great grandmother of William the Conqueror, courageously assisted him at the battle of Hastings, and was advanced to the earldom of Buckingham, in which county he held 48 lordships, besides 85 in other parts of England. Several families of that name are noticed in Dugdale. John, Lord Giffard of Brimsfield, was summoned to Parliament in 1295. Fonthill in Wiltshire belonged to one of them, and still retains the name of Fonthill-Giffard.

Caledonia, I. 516.

Two of this race, Hugh and William, came to Scotland in the reign of David I., the latter was probably an ecclesiastic, as brother William Giffard, of the monastery of Dunfermline, witnessed a charter of that monarch to the monks of May.

I. HUGH GIFFARD obtained a considerable grant of lands in Lothian, where he settled with his followers. He was succeeded, at the commencement of the reign of William I., by his son.

Dipl. Scot. 28. Chartul. of Arbroath, No. 132. D. Dunfermi. 520. Fœdera, I. 40. Crawf. Peer. 502.

II. HUGH GIFFARD, who witnessed many of the charters of King William I. He was, under the designation of Hugh Gyffard, one of the hostages for the release of William, in 1174, and had by the grant of that prince the lands of Yestred, (Yester), in presence of Richard de Morville, constable, and Richard de Vallon, the King's chamberlain. He gave to the priory of St Andrew's the church of Tealing, in Forfarshire, which was confirmed by King William. John Giffard, who may have been a younger son of Hugh, possessed the lands of Polgavie, in the carse of Gowrie, at the end of William's reign. The eldest son,

Book of Original Writs, penes. Macf. 326. D.

Chartul. of Capar, No. 49.

III. WILLIAM GIFFARD of Yester, was sent on a mission to England 1200, and witnessed several charters of King William I. from 1198 to 1214. He obtained a confirmation of his lands from that monarch, witnessed by Florence, elect of Glasgow, chancellor. He was one of the guarantees of a treaty with England 1244. His son,

Fœdera, I. 121.

Yester.

Dipl. Scot. 28. Chartul. of Arbroath, 120, 2. D. Paisley, 63. Crawf. Peer. 502. Fœdera, I. 428.

IV. HUGH GIFFARD of Yester, was received into the protection of Henry III. 10th August 1255, and was one of the guardians of King Alexander III., and his Queen, and of the regents of the kingdom, appointed by the treaty of Roxburgh, 20th September 1255. In his castle of Yester there was a capacious cavern, formed by magical art, and called Bohall, that is Hobgoblin hall, which makes a conspicuous figure in Walter Scott's Marmion. He granted to the monks of Newbottle the lands of Cresswell, in Lothian, per suas rectas divisas, sicut Alexander vicecomes mihi eos perambulavit. This grant was confirmed by his son William, and by his grandson John, son of William. Hugh Giffard gave to the monks of Melrose a toft, and two bovates of land in Yester, for the welfare of his soul, and died in 1267, leaving, as is said, three sons,

Dalr. Ann. I. 182, 333. Fœdera, I. 359.

Fordun, II. 105.

Chartul. Newbottle, No 89, 90, 91. D.

Keith's Catal. 254. Fordun, II. 105.

1. *William.*

2. *Hugh*, who swore fealty to Edward I., in 1296, the reputed ancestor of the Giffards of Sheriffhall.*

Prynne, III. 659.

3. *James*, who also swore fealty to Edward I. the same year.

V. WILLIAM GIFFARD of Yester, the eldest son, was in Stirling Castle when it surrendered 1304, and was sent prisoner to England, where he was in confinement in

Fœdera, II. 928, III. 210.

* A safe conduct was granted to Robert Giffard to come into England, and proceed to foreign parts, with 60 horsemen and footmen in his retinue, 24th October 1358. Fœdera, VI. 108. William Gyffard, Esquire, was sent to the Tower of London with James I., 21st March 1413. Ibid IX. 2.

Yester.

Corfe Castle, 15th June 1310. He died not long afterwards, leaving a son,

Crawf. Peer. 502.

VI. Sir JOHN GIFFARD of Yester, who ratified to the monks of Melrose the donation which Hugh Giffard his grandfather made to them, in pure and perpetual alms.

Haddington's Coll. D.

He granted to the abbacy of Dryburgh an annuity out of his village of Bothan, for the welfare of his soul, and he died betwixt 1342 and 1345. He married Euphemia,

Dalr. Coll. Pref. 58.

daughter and heiress of Sir Thomas Morham of Morham, and by her had a son,

Crawf. Peer. 502.
Book of Original Writs, Macf. D.

VII. HUGH GIFFARD of Yester, who is designed Hugo Giffard, dominus de Yester, filius et hæres dominæ Eufaminæ Giffart, dominæ de Moram et de Baru, sponsæ quondam domini Joannis Giffard, in a charter dated 1345, by which he confirms the donation that Thomas de Moram, his grandfather, had made of the patronage of the church of Baru to the monks of Holyroodhouse. In Robertson's Index is an entry of a missing charter, granted in the reign of David II. by Hew Giffard, Laird Zester, to John Douglas, son of James, Lord Douglas, viz. the baronies of Zester, Morhame, Duncanlau, in vicecom. de Edr. Telin, in vicecom. Forfar; Polgavite, vicecom. Perth; Herbertshire, in vicecom. Stirling. Hugh Giffard founded the collegiate church of Botham, or Yester, for a provost, seven prebendaries, and two singing boys. He was dead before 11th March 1409, leaving four daughters his coheiressess,

Robertson's Index, 61.

Yester.

Keith's Catal. 284.

1. *Jean*, or *Johanna*, married to Sir William Hay of Locharret, ancestor of the Marquis of Tweeddale, to whom she brought the barony of Yester, still the principal residence of the family.

2. *Alice*, married to Sir Thomas Boyd of Kilmarnock.

3. *Mary*, married to Eustace Maxwell of Tealing.

4. *Eupheme*, married to Dougal Macdowall of Makerstoun, and had a son, Dungal Macdowall, who obtained from Robert, Duke of Albany, a charter dated 11th March 1409, of the lands of the baronies of Yhester, Doncanlaw, Morhame, Telyne, and Polgavy, in the counties of Edinburgh, Forfar, and Perth, quæ fuerunt Eufamiæ Giffart, filiæ quondam Hugonis Giffart, militis, unius hæredum ejusdem Hugonis, matris dicti Dongalli.

Reg. Mag. Sig. 204.

ARMS.—Gules, three bars, ermine.

SUPPLEMENT.

BORTHWICK, LORD BORTHWICK.

Borthwick. Vol. I. p. 217.

THE reason for not treating of this antient peerage in its proper place has been already assigned. No decision having as yet been come to by the House of Lords respecting the right to the title, the editor labours under great difficulty in deducing the genealogy of the Borthwick family previous to 1513. It is therefore proposed merely to arrange the documents relating to that family in chronological order down to that year, and to detail the succession of the Lords Borthwick subsequent to 1513.

The surname of Borthwick is apparently local, assumed from lands of that name on Borthwick water, in the county of Selkirk. Thomas de Borthwick obtained some lands near Lauder, in Berwickshire, from Robert Lauder of Quarrelwood, in the reign of King David II. Sir William Borthwick was possessor of the lands of Catkune in the reign of King Robert II., which appears by a charter dated in 1378. Sir William de Borthwick witnessed a charter of James, second Earl of Douglas and Marr, of the barony of Drumlangrig, about 1387. William de Borthwick obtained from Margaret, Countess of Marr and Angus, a charter of the lands of Ludniche and Wester Drumcanachy, in the barony of Kirimoor in Forfarshire, in the reign of King Robert III. Sire William of Borthwic was one of the commissioners on the part of the Duke of Rothsay, to conclude a treaty for a truce and the liberation of prisoners, with commissioners on the part of John, Duke of Lancaster, at Haudenstank and Clochmabanestane, in October and November 1398. William Borthewyk, chivaler, was a commissioner to treat with the English, 21st December 1400, and had a letter of safe conduct as such into England, 26th April 1401. William de Borthwick, miles, was a commissioner to treat with the English, 24th August 1404, again, 8th March and 27th August 1405. On the 21st of September the same year, William de Borthwick, miles, was one of the hostages for the Earl of Douglas, who had been taken at the battle of Homildon. A safe conduct was granted to William de Borthwik de Lidgertwod, knight, as a commissioner from Scotland to England, 27th April 1409, and William de Borthwik, miles, was one of the commissioners to treat with the English, 21st April 1410.

Borthwick.

Carta penes Lauder de Fountainhall. D.

Carta penes Sinclair de Herdmanstoun. D.

Carta penes D. de Queensberry. D.

Robertson's Index, 147,

Fœdera, VIII. 54, 185, 190, 369, 388, 411, 417, 584, 635, 686.

Robert, Duke of Albany, granted a charter, dated 4th June 1410, dilecto nostro Willielmo de Borthwick, militi, of the lands of Borthwic and Thoftcotys in Selkirkshire, on the resignation of Robert Scot.

Reg. Mag. Sig. 216.

Sir William de Borthwick was a commissioner for treating with the English, 23d May and 24th September 1411, and 7th August 1413.

Fœdera, VIII. 703, 704. IX. 45.

A charter of the lands of Butelande in the county of Edinburgh was granted, 17th December 1413, to Margaret de Abernethy, daughter of William de Borthwc, knight, on the resignation of Archibald, Earl of Douglas, Lord of Galloway and Annandale. This Margaret was widow of William de Abernethy, killed at the battle of Harlaw 1411, eldest son and heir of Sir William de Abernethy of Salton. [She married, secondly, William de Douglas, as appears from a papal dispensation allowing William de Douglas, eldest son of James de Douglas, knight, domini loci de Dalbreck, and Margaret de Borchwilr, widow of William de Abirnechi, to marry,

Reg. Mag. Sig. 256.

A. Stuart. 454.

Borthwick. notwithstanding of their being within the third degree of consanguinity, dated 9th December 1421.]

Fœdera, X. 125, 286, 309. William de Borthwick, Dominus de Borthwick, was one of the hostages for the return of King James I., when his Majesty was allowed to visit Scotland, 31st May 1421. A safe conduct was granted to William de Borthwic de eodem, miles, to come into England as a commissioner to treat for the release of James I., 12th May 1423, and to William de Borthwick, Dominus de Heriot, to come into that kingdom to meet his Majesty, 13th February 1424. Willielmus Borthuik ejusdem, miles, was one of the jury on the trial of Murdac, Duke of Albany, in May 1425. Fordun, II. 484.

Fœdera, X. 344. Willielmus de Borthwyk, junior, miles, had a letter of safe conduct to pass through England, 9th June 1425, being, with the Bishops of Aberdeen and Dunblane, and seven others, ambassador from Scotland to Rome.

Ibid. 348, 376. Dominus Willielmus Borthwyk, senior, was one of the substituted hostages for the ransom of King James I. sent to England, 16th July 1425, and remained there till 9th July 1427, when an order was issued for the liberation of Dominus William Borthyk, then in the custody of the prior of Durham.

Mag. Sig. L. iii. No. 86. A letter of licence was granted, 2d June 1430, Willielmo de Borthwik de eodem, militi, construendi castrum in illo loco qui vulgariter dicitur le mot de Lochorwort infra vicecom. de Edin. ac in eodem castro et fortalicio constabularium, janitorem, custodesque necessarios et optimos pro sua voluntate providendi, removendi, et omnia alia quæ ad securitatem et fortificationem dicti castri necessaria fuerit faciendi. The stately castle, erected in virtue of this licence, still remains very entire, and was lately purchased by John Borthwick of Crookston. The walls are of hewn stone within and without, firmly cemented, thirteen feet thick near the bottom, and contracting gradually to six feet at the top, the length 74 feet, the breadth 68 feet, and the height 90 feet from the area to the battlements. From the founder, it took the name of Borthwick Castle, and gave the appellation of Borthwick to the parish in which it is situated. Stat. Acc. XIII. 633.

Borthwick. At the baptism of the twin sons of King James I. who were born 15th October 1430, his Majesty conferred the honour of knighthood on filium et hæredem Domini de Borthwik, and others, ætate tunc teneros. Fordun, II. 490.

Ibid. 542. According to the abbreviation of the Scotichronicon, the creation of Lord Borthwick took place A. D. 1433, when creatus est Dominus de Borthwik.

Mag. Sig. L. iv. No. 191, 192 Two charters were granted to James, Lord of Dalkeith, and Jonet his wife, daughter of the deceased William de Borthwic de eodem, knight, of the barony of Morton with the castle, 26th February 1439-40, and of the lands of Quhittyngeam, in the shire of Edinburgh, 13th October 1440, both confirmed 7th March 1449-50. This Janet Borthwick married, secondly, George Crichton, Earl of Caithness, admiral of Scotland.

L. iv. No. 4. Nicholas de Borthwick had a charter of the lands of Leny, in the parish of Cramond, on the resignation of George Crichton of Cairns, admiral of Scotland, 1st April 1450 *.

Suth. Add. Case, iv. 55. In the parliament 14th March 1457-8, when the chancellor, addressing himself to James, Lord of Dalkeith, set forth that the King purposed to create him Earl of Morton, nobilis et potens dominus Willielmus, Dominus Borthwick, appeared on behalf of his sister Janet, Lady of Dalkeith, and asserted that the lands of Morton belonged to her and her son William de Douglas, and therefore prayed that the King might do nothing to the prejudice of his sister and her son, concerning the lands

* Nicholas de Borthwick and Elena de Croichton his wife, had a charter of the lands of Balwolsy and Gordounhall in Fife, 22d July 1466. Mag. Sig. L. vii. No. 87. John Borthwick had a charter of Balwolsy and Gordounhall, 16th March 1490-1. Ibid. L. xii No. 282. Stephen Borthwick and Margaret Makrerik his wife, had a charter of half of the superior part of Leny, 17th February 1490-1. Ibid. No. 294. John Borthuik was, 2d October 1548, served heir of Robert Borthuik of Gordinschall, his father, who died at Fawsyde, in the lands of Balhuffie in Fife. Inq. Ret. i. 53, and, 6th March 1557, heir of Robert Borthuik of Gordounshall his father, who died at Pinkincleuch, in the lands of Gordounshall in Fife. Ibid. i. 81. Robert Borthwick of Balhouffie was served heir of John Borthwick of Balhouffie, his father, in the lands of Balhouffie, 15th January 1634. Ibid. xii. 143.

Borthwick.

of Morton, their inheritance. To this the chancellor answered, that the said Lord of Dalkeith was not to receive his title in the earldom for the lands of Morton in the lordship of Niddisdale, but in the lands of Morton in the territory of Caldercleir. Upon which declaration Lord Borthwick took instruments in full parliament.

Mag. Sig. L. v. No. 43, 105.

William, Lord Borthwick, had a donation under the great seal of the marriage of Mariota Hoppringill, de eodem, 21st November 1438, and a charter of the lands of Glengelt, on the resignation of Mariota de Pringle, 14th January 1458-9. Willielmus, Dominus Borthwick, had a safe conduct as a commissioner to treat with the English, 13th July 1459, and on the 1st of September that year concluded a treaty with them at Newcastle. William, Lord Borthwick, had a safe conduct as an ambassador to England, 24th September 1461. Willielmus, Dominus de Borthwick, had a safe conduct into England, 5th December 1463. Dominus Borthwic sat in parliament, 9th October 1466, and 14th October 1467, when he was elected one of the auditores ad querelas, and in several subsequent parliaments.

Fœdera, XI. 422, 426, 438, 443, 476, 509.

Rec. Parl. 144, 150.

A charter was granted Jacobo Borthwick, filio Willielmi, Domini Borthwick, and the heirs male of his body, which failing, to the heirs male of William, Lord Borthwick, of the lands of Glengelt in Berwickshire, by his father, 19th December 1467, confirmed under the great seal next day.

Mag. Sig. L. vii. No. 85.

Willielmus, Dominus Borwit, had a safe conduct as ambassador to England 7th August 1471, again, to Willielmus, Dominus de Borthwic, 24th August 1473.

Fœdera, XI. 766. 775.

Sir William of Borthwic, knicht, appears as defender in an action of debt, 4th July 1476, when judgment was given against him. Dominus Borthwick was one of the lords of articles pro baronibus, in the parliament that sat down at Edinburgh, 4th October 1479. William, Lord Borthwic, and William of Borthwic, knicht, his sone and apperand air, had a judgment in their favour, 16th October 1479; and of the same date Sir William of Borthwick, knicht, is sole defender in a civil suit.

Rec. Parl. 292, 291, 294

A charter was granted, 7th February

Mag. Sig. L. xi. No. 34.

1483-4, Domino Willielmo Borthwick, militi, filio et hæredi quondam Willielmi, Domini Borthwick, of the lands of Litell-lothquhorwart, apprised from William, Lord Crichton. William, Lord Borthwick, was one of the guarantees of a treaty with England, 20th September 1484. William, Lord Borthwik, and Alexander Borthwik his son, compeared before the lords auditors, 21st January 1488-9, and entered a protest in a civil cause.

Borthwick.

Fœdera, XII. 241.

Rec. Parl. 350.

A charter was granted, 5th December 1489, of three husband lands and a half in Naynthorn, by William, Lord Borthwick, dilecto filio meo naturali Alexandro Borthwik et Margarete Lausone sponse sue et eorum alteri diutius viventi, et hæredibus masculis inter ipsos legitime procreandis, quibus forte deficientibus, hæredibus masculis legitimis dicti Alexandri quibuscunque, quibus forsan omnibus deficientibus, redendo mihi et hæredibus meis veris legitimis et propinquioribus quibuscunque. This charter is witnessed by Magist. Alex. Borthuik, Johanne Borthuik de Cruxtoune, and others.

Original produced by John Borthwick of Crookston.

A precept was issued the same day by William, Lord Borthwick, directing his bailies to give seisin of these lands, quia dedi et concessi hereditarie dilecto filio meo naturali Alexandro Borthwick et Margarete Lawson sponse sue ac eorum alteri diutius viventi, omnes et singulas illas tres terras meas husbandias, &c. jacen. in villa et territorio de Naynterne, &c.

Ibid.

Seisin was given, 12th December 1489, in terms of the preceding charter and precept, in the notorial instrument of which the appearance of the parties is thus stated, habilis vir Alexand. Borthwyk filius naturalis nobilis et potentis Dni. Willielmi Dni. Borthwyk, et Magr. Johes. Lawsone vicarius perpetuus de Ersiltoune, ac procurator et co nomine Margarete Lawsone sponse dict. Alexandri.

Ibid.

A charter was granted in 1491 by William, Lord Borthwick, to his son Sir William Borthwick, knight, and his heirs to be procreated of his marriage with Margaret Hay, daughter of Lord Yester.

Ibid.

A resignation was made 27th June 1495, by James Wilson, in which he resigned dimidiam partem quartæ partis terrarum de Nenthorn in manibus nobilis et potentis

Original produced by Archibald Borthwick, Esq.

Borthwick.

Dni. Willielmi Dni. Borthwik sui Dni. superioris earundem, &c. super quibus omnibus et singulis Alex. Borthwik, filius dict. Willielm. Dni. Borthwik a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum, &c. præsentibus Alexandro Borthwik fratre dicti Dni Borthwik, &c.

Original produced by Archibald Borthwick, Esq.

A charter of confirmation was granted by William, Lord Borthwick, the date and some parts of it are worn away and decayed, but the name and description of the lands, (dimidiam ptm quartæ pts trarum villæ de Nantharne cum pertin.) the words dilecto filio in the beginning, and dict. Alex. Borthwic et Margarete sponse sue et cor. alteri diutius viventi, towards the end of the deed, are quite entire.

Fœdera, XII. 678, 726.

William, Lord Borthwick, was one of the conservators of a treaty with England, 30th September 1497, and 19th July 1499.

Mag. Sig. L. xiv. No. 24.

A charter of the lands of Collylaw and Bourhouses was granted, 24th August 1503, Alano Borthwick, filio Thomæ de Borthwick patrui Domini Willielmi de Borthwick. This charter was witnessed by Sir Alexander Borthwick, knight.

Original produced by John Borthwick of Crookston.

Dominus Alexander Borthwick, miles, appears in a precept of seisin granted by Sir Alexander Ramsay of Dalwolsy, knight, in August 1513.

Pinkerton, II. 458.

Lord Borthwick was slain at the battle of Flodden, 9th September 1513 *.

* The succession of the Borthwick family, according to the first edition, was,

1. Thomas de Borthwick.

2. Sir William de Borthwick, 1378, had a daughter, Margaret, married to William Abernethy, and a son,

3. Sir William Borthwick, 1387 and 1398, had two daughters, 1. Janet, married, first, to James Douglas, Lord Dalkeith; secondly, to George Crichton, Earl of Caithness. 2. ———, married to Sir John Oliphant, and a son,

4. William, first Lord Borthwick, 1400 to 1430, father of,

5. William, second Lord Borthwick, 1424 to 1461, who had a daughter, Margaret, married to Sir John Maxwell of Calderwood, and three sons, 1. William, third Lord Borthwick. 2. Sir Thomas Borthwick of Colylaw, knight. 3. James Borthwick of Glengelt.

6. William, third Lord Borthwick, 1482 to 1513, when he fell at Flodden; married to Maryota de Hope Pringle, and by her had, 1. William, fourth Lord Borthwick. 2. Alexander Borthwick of Nenthorn. 1. Agnes, married to David, Earl of Cassillis. 2. Catherine, married to William, Earl of Glencairn. 3. Mary, married to James Hope Fringle of Galashiels. 5. Margaret, married to Sir Oliver Sinclair of Roslin.

Succession of the Lords Borthwick subsequent to 1513.

Borthwick.

I. William, fourth Lord Borthwick, succeeded his father, who was killed at the battle of Flodden, 9th September 1513, along with his royal master King James IV. On this disastrous event the council of the kingdom ordered that the castle of Stirling should be well fortified, and the command given to Lord Borthwick, with the important charge of the infant monarch James V. Dominus de Borthwik set his seal to the treaty with England, 7th October 1517. He made a settlement of his landed property, in terms of which a charter was granted under the great seal, dated 21st August 1538, of the lands called le Moit de Lochquhorrat, with the castle of the same, called the castle of Borthwick, half of the lands of Middiltoun, the lands of Buteland, in the county of Edinburgh; Borthwick, in Selkirkshire; Lidgeartwood, Nainthorne, Glengelt, Collilaw, and Bourhouses, in Berwickshire; Ormistoun, Heriot, Heriotmuir, Hethtpule, and Whitfield, in the county of Peebles; and Aberdour in Aberdeenshire; to William, Lord Borthwick, John Borthwick his son and heir apparent, and the heirs male of his body; which failing, to Sir John Borthwick of Cinery, knight, Robert Borthwick of Gordounhall, and William Borthwick of Crukistoun, and the heirs male of their bodies respectively; which failing, to the nearest heirs male whatsoever of the said Lord Borthwick, bearing the name and arms of Borthwick. He died in 1548. He married, in 1491, Margaret, eldest daughter of John, Lord Hay of Yester, and by her had issue,

Pinkerton, II. 112.

Fœdera, XII. 690.

Mag. Sig. L. xxvi. No. 188.

1. [*William,*] Master of Borthwick, who married Mariot, daughter of George, Lord Seton, but died, in the lifetime of his father, without issue by her, who, in February 1530-1, took to her second husband Hugh, second Earl of Eglintoun, in virtue of a papal dispensation, as they were within the third degree of consanguinity. The christian name of the Master of Borth-

Penes Com. of Eglintoun.

Borthwick. wick is not mentioned, but probably was William, the uniform appellation of the eldest sons of the family.

2. *John*, fifth Lord Borthwick.

1. *Catherine*, married to *Sir* James Crichton of Frendraught.

2. *Janet*, married to Alexander, son and heir of Alexander Lauder of Hatton.

II. JOHN, fifth Lord BORTHWICK, the only surviving son, was served heir of his father 1543, and had a grant in feu farm of the lands of Cribbelaw, Over and Nether Luggatis, Gilmerton, Over and Nether Schelis, Printatoun, Cheslie, the town of Stow, &c. in the county of Edinburgh, dated 14th November 1543, from Cardinal David Bethune, Archbishop of St Andrews, with consent of the chapter, to John, Lord Borthwick, and the heirs male of his body; which failing, to Gawin Borthwick of Fentoun *, Michael Borthwick of Glengelt, William Borthwick of Soltray, William Borthwick of Crukstoun, and Edward Borthwick in Ballincrieff, and the heirs male of their bodies respectively; which failing, to the nearest heirs male whatsoever of John, Lord Borthwick, bearing the name and arms of Borthwick, confirmed by charter under the great seal, 15th January 1543-4. On the same day another charter passed the great seal, confirming one granted on the 10th of that month by John, Lord Borthwick, to Gawin Borthwick of Fentoun, Michael Borthwick of Glengelt, William Borthwick of Soltray, William Borthwick of Crukstoun, Edward Borthwick in Ballincrieff †, and Thomas Borthwick of Princado, and the heirs male of their bodies respectively; which failing, to his Lordship's nearest heirs male, of the barony of Borthwick, the lands of Lie Moit, the lands of Locherworth, the castle of the same called Borthwick, Middleton, Buteland, Heriot, and Heriotmuir, in the county of Edinburgh; Borthwick, in Selkirkshire; Little Ormistoun, Hethpule, and Quhytfield, in the county of Peebles; Hyndford, in Lanarkshire; Aberdour, in Aberdeenshire; Ligertwood, Nanethorn, Glengelt, Collelaw, and Bourhouses, in the county of Berwick. Lord Borthwick opposed the reformation 1560, saying that he would believe as his fathers had done before him; assisted the Queen Regent against the lords of the congregation; and died in 1565. He married Lady Isabel Lindsay, eldest daughter of David, seventh Earl of Crawford, by whom he had a son,

Mag. Sig. L. xxix. No. 226, 227.

Borthwick.

William, sixth Lord Borthwick;—and a daughter,

Mariota, married to Andrew Hop Pringle of Galashiels; she had a charter of the lands of Galashiels and Moseley, 10th February 1585-6.

Mag. Sig. L. xxxvii. No. 19.

III. *William*, *sixth* Lord BORTHWICK, the only son, succeeded his father 1565, was a zealous partizan of Queen Mary, receiving her and Bothwell into his castle of Borthwick in June 1567. He executed a settlement of his estates, including the barony of Borthwick, 9th December 1570, to William Borthwick, his eldest legitimate son, and the heirs male of his body; which failing, to James Borthwick his second son, William Borthwick, son and heir of the late Sir John Borthwick of Cinery, knight, Michael Borthwick of Glengelt, John Borthwick of Gordounshall, John Borthwick of Cruxtoun, and William Borthwick of Soltray, and the heirs male of their bodies respectively; which failing, to his Lordship's nearest and legitimate heirs male, reserving the liferent of the lands, the barony of Aberdour excepted, to himself, and a reasonable terce to his wife Grissel Scott. This charter, in which he mentions that he was son of John, Lord Borthwick, was confirmed under the great seal, 23d October 1571. He married Grissel, eldest daughter of Sir Walter Scott of Branxholm, and by her, who took to her second husband Walter Cairncross, son of John Cairncross of Colmslie, had two sons,

L. xxxiii. No. 55.

* A letter of legitimation under the great seal was granted, 11th November 1537, Gawini Borthwick, bastardi filii naturalis quondam Willielmi, Domini Borthwick. Mag. Sig. L. xxix. No. 151. He appears to have been afterwards designed of Fentoun.

† A charter was granted to Robert Borthwick, of half of the dominical lands of Ballincrieff, 4th April 1514. Mag. Sig. L. xix. No. 40. A letter passed the great seal, 23d July 1515, to Robert Borthwick Regi magnalium fundatori, and Katherine Borthwick his wife, of the lands of Ballincrieff, during the pleasure of the governor. Ibid. No. 64.

Borthwick.

1. *William*, Master of Borthwick, who died on the 17th of March 1570-1, in the lifetime of his father; his brother James

Inq. Ret. viii. 36.

was served heir of him, 9th October 1573, in the barony of Borthwick, in the counties of Aberdeen, Berwick, Edinburgh, Lanark, Peebles, and Selkirk.

2. *James*, seventh Lord Borthwick.

IV. JAMES, seventh Lord BORTHWICK, the only surviving son, succeeded his father

Penes Cranstoun of Dewar.

before 26th July 1597, when he is stiled James, Lord Borthwick, in a decreet of redemption, and he died in December 1599. He married, in 1582, with his father's consent,

Inq. Ret. viii. 35.

Margaret, eldest daughter of William, Lord Hay of Yester, and by her, who married, secondly, Sir Robert Lauder of Popil, knight, son of Robert Lauder of Bass, had a son,

V. JOHN, eighth Lord BORTHWICK, who was charged to enter heir of his father 1602,

Penes Cranstoun of Dewar.

and with consent of William, Lord Kilmaurs, William, Lord Cranstoun, William Seton, knight, James Borthwick of Newbyres, Cuthbert Borthwick, and David Borthwick, his interdictors, executed a charter in favour of William Pringle, 1617. He was served heir of his father, 4th July 1621, in the barony of Borth-

Inq. Ret. viii. 36.

wick. John, Lord Borthwick, and his wife, had a charter of Cribbelaw, 19th December 1622, and he had a charter of Heriot-

Mag. Sig. L. I. No. 80. L. lvii. No. 328.

muir, 6th December 1643. He married Lady Lillias Kerr, fifth daughter of Mark, first Earl of Lothian, by whom he had a daughter married to Robert Dundas of Harviestoun, second son of Sir James Dundas of Arnistoun, and a son,

VI. JOHN, ninth Lord BORTHWICK,

Prestonpans Reg.

born at Prestongrange, the seat of his grandfather the Earl of Lothian, 9th February 1616. He held out his castle of Borthwick against Oliver Cromwell, who

Stat. Acc. XIII. 634.

sent him a summons to surrender, dated at Edinburgh, 18th November 1650. He complied with that summons, obtaining honourable terms, being allowed to march out unmolested with his lady and family, and fifteen days to remove his effects. He married, 23d August 1649, Lady Elisabeth Kerr, second daughter of William, third Earl of Lothian, but had no issue by her, and dying in 1672, æta. 56, John Dundas, eldest son of Robert Dundas of Harviestoun, was, on 28th January 1676, served heir of John, Lord Borthwick, the brother of his mother, in the barony of Heriotmuir, the lands of Mott of Lochquharret, and the castle of the same called the castle of Borthwick, &c. and, 26th January 1681, in the lands of Harviestoune and Bogend.

Borthwick.

Inq. Ret. xxxii. 292. xxxv. 256.

The title of Lord Borthwick lay dormant

Chancery Records.

from 1672 till 1797, when Henry, Lord Borthwick, was served heir male in general of William, the first Lord Borthwick, and, in 1734, he voted at the election of repre-

Robertson's Proceedings, passim.

sentatives of the Scotish peerage. He voted at several subsequent elections, till 14th December 1761, when the House of Lords made an order on him, and several others who had assumed dormant peerages, not to take on them their titles, until the same should be allowed in due course of law. Henry, Lord Borthwick, then presented a petition to the King of this tenor: That it appears from antient writings, and from the records and most authentic history of Scotland, that Sir William Borthwick was created Lord Borthwick between 1424 and 1430, long before any patents of honour were in use; and as, by the law of Scotland, these antient peerages have been considered as male fiefs, descending to the heirs male of the person first ennobled, so this title of honour descended lineally from father to son, to John, the ninth Lord Borthwick, who dying without issue in 1672, the title thereby devolved on the heir male of Alexander Borthwick of Nenthorn, who was second son of William, the third Lord Borthwick. That it will appear by the most indisputable evidence, that the petitioner is the nearest and lawful heir male of the said John, the ninth Lord Borthwick, descended of the said Alexander Borthwick of Nenthorn, the second son of William the third Lord Borthwick, who was grandson of the person first ennobled, and as such is entitled to that dignity. The petitioner, therefore, most humbly prays, that the title and dignity of Lord Borthwick may be declared to belong to the petitioner and his heirs male. This petition being, 29th January 1762, referred to the

Borthwick. House of Lords, it was, 8th April 1762, resolved and adjudged, that the petitioner hath a right to the title, honour, and dignity of Lord Borthwick, as heir male of the body of the first Lord Borthwick *.

Henry, tenth Lord Borthwick, at an election of a representative peer, 10th January 1763, protested that, "in regard it "is found by the judgment of the House of "Lords, that I have right to the title of "Borthwick, as heir male of the body of the "first Lord Borthwick, who does appear from "antient history, and from undoubted evi- "dence, particularly from the public re- "cords both in England and Scotland, to "have been nobilitate about the year 1424, "in consequence whereof I am the oldest "lord baron in Scotland, and claim that I "may have precedence conform thereto." He married, at Edinburgh, 5th March 1770, Margaret, daughter of George Drummond of Broich in the county of Stirling, and died without issue at Newcastle, on his way to London, 6th September 1772 †.

A petition, claiming the title, was presented to the King by John Borthwick of Crookston, of this tenor: That William, Lord Borthwick was created a peer about the year 1424, and was succeeded by his son William, the second Lord Borthwick, and he again by his son William, the third Lord Borthwick, from whom the peerage descended, from father to son, to John, ninth Lord Borthwick, who died without issue in 1681: That William, the first Lord Borthwick, had to his second son John Borthwick of Crookston, from whom the petitioner is lineally descended in the male line from father to son: That William the third Lord is said to have had a son, Alexander Borthwick, from whom Henry, the last Lord Borthwick, alleged he was descended, and the said peerage was adjudged to him, the said Henry Borthwick, in the year 1762. By his death without issue, the whole male line of William, the second Lord Borthwick, is extinguished, and the said peerage has descended to the petitioner as heir male of John Borthwick, the second son of William the first Lord, and brother to William the second Lord Borthwick. Your petitioner therefore most humbly prays your Majesty will be graciously pleased to declare his, the petitioner's, right to the aforesaid title, honour, and dignity of Lord Borthwick. This petition was referred to the House of Lords, 24th February 1774. Various proceedings took place respecting this claim, which has not yet been determined. An order was issued by the House of Lords, 25th November 1776, that John Borthwick of Crookston, claiming the title and dignity of Lord Borthwick, do not presume to take upon himself the said title and dignity, until his claim shall have been allowed in due course of law, and that, in the meantime, until the same shall be so allowed, the said John Borthwick, or any person claiming under him, be not admitted to vote, by virtue of the said title, at the election of any peer for Scotland to sit and vote in this House.

Borthwick.

At the period of the death of Henry, Lord Borthwick, his heir male, Archibald Borthwick, Esq. was in Norway. In 1807

† Robertson's Proceedings, 374, et seq.

* Note from Lord Mansfield's speech in the Sutherland claim. "In the case of Borthwick the crown supplied the claimant with money to prosecute his right. "In that case no regard was had to the limitations of "the estate; the only question was with respect to the "pedigree. The evidence of the pedigree, upon the first "hearing, did not satisfy the House. An opportunity "was given by the adjournment of the cause to supply "the defect of that proof. The judgment then went "of course, and the claimant was found entitled to the "dignity as the heir male of the body of the person "first ennobled."

† According to the first edition, the descent of Henry, Lord Borthwick, was,

1. Alexander Borthwick of Nenthorn, son of William, third Lord Borthwick, married to Margaret, daughter of Lawson of Humbie, father of,

2. William Borthwick of Soltray, 1522, chamberlain to Queen Mary, father of William of Soltray, and Alexander Borthwick of Sauchland.

3. William Borthwick of Soltray, 1550 to 1590, father of Colonel William Borthwick of Johnstonburn, whose male line failed, and,

4. Alexander Borthwick, 1633 and 1643, married to Sibilla, daughter of William Cairns of Pilmore, father of,

5. William Borthwick of Mayshiell and Pilmore, 1666, married to a daughter of Henry Stewart, of the family of Garntully, advocate, father of,

6. Captain Henry Borthwick of Pilmore, killed at Ramilies 1706, married to Mary, daughter of Sir Robert Pringle of Stitchill, father of,

7. Henry, tenth Lord Borthwick.

Borthwick. that gentleman presented a petition to the King, claiming the title of Lord Borthwick, which was referred to the House of Lords. According to his case, laid before their Lordships, the descent of the family is as follows:

I. Sir WILLIAM BORTHWICK of Borthwick, was a person of consequence in the time of King James I. He is repeatedly mentioned by Rymer; in particular, in the year 1421, when he was one of the hostages for the King's ransom and liberation. In 1424 he was one of the assize which condemned Murdock, Duke of Albany. In 1430, he is again mentioned; and the same year he obtained a grant from King James I., permitting him to build the castle of Borthwick; Sir William had soon after this been created a lord of Parliament. The rolls of the first Parliament of King James II., anno 1437, are not extant; but in a MS. by Sir James Balfour, lord lyon to King Charles I., extracted in 1610 from the unprinted statutes and acts of parliament, he is inserted in the rolls as "Dominus Borthwick*." He was succeeded by his son,

II. WILLIAM, second Lord BORTHWICK. In 1458, King James II. granted a charter of the lands of Glengelt, Willielmo Domino Borthwick, and in 1459 and 1461, he is in public deeds and instruments called Lord Borthwick. He was succeeded by

III. WILLIAM, third Lord BORTHWICK, who sat in the Parliament 1467, as Lord Borthwick, and in a number of other Parliaments down to the 1505. He was slain at the field of Flodden, in 1513, leaving two sons, 1. William, fourth Lord Borthwick, whose male line failed in John, ninth Lord Borthwick, who died in 1672, without issue; and 2. Alexander Borthwick of Nenthorn.

IV. ALEXANDER BORTHWICK of Nenthorn, the second son, is described as son of William, Lord Borthwick, in the records of Parliament, 21st January 1488-9, in the resignation of part of the lands of Nenthorn, 27th June 1495, and in the mutilated charter of the same, already quoted. He died previous to 27th March 1522, and was succeeded by his son, Borthw.

V. WILLIAM BORTHWICK, to whom, 27th March 1522, William, Lord Borthwick, granted a precept of clare-constat for infefting him in the lands of Nenthorn, as heir of Alexander, his father. He had a grant from the collegiate church of the Holy Trinity, of the lands of Soltrabernis, 3d March 1534, and was thence designed of Soltray. He died previous to 2d October 1542, and was succeeded by his son*,

VI. WILLIAM BORTHWICK, who had a precept of clare-constat, 2d October 1542, for infefting him in certain lands, as heir of William Borthwick in Johnstoun, his father. He had another precept of clare-constat, 10th April 1550, from John, Lord Borthwick, as heir of his father, who is therein designed dilectus meus consanguineus Willielmus Borthwick de Soltray. He married Catherine Creighton, and died previous to 26th March 1569, leaving two sons,

1. *William* Borthwick of Soltray.
2. *Alexander* Borthwick in Reidhall.

VII. WILLIAM BORTHWICK of Soltray, the eldest son, had a precept of clare-constat, from Lord Borthwick, for infefting him in the lands of Nenthorn, as heir of his grandfather, William Borthwick of Soltray. A lease was granted in 1577, by James, Master of Borthwick, to Catherine Creighton, relict of William Borthwick of Soltray, in liferent, and to William Borthwick of Soltray her son. A contract was entered into 1st February 1603, betwixt Earl Marischal on the one part, and Alexander Borthwick in Reidhall on the other, in which Alexander undertakes and acts for William Borthwick of Sowtray, his brother, Barbara Lawson, his spouse, William

* It appears from the records of Parliament, page 141, that the date is 9th October 1466, not 1437, as erroneously stated in Sir James Balfour's MS. in the Advocates Library.

* A charter was granted 24th November 1569, to Robert Borthwick, son of the deceased William Borthwick, senior of Soltray, of the lands of Threeburnford, in Berwickshire. Mag. Sig. L. xxxii. No. 119.

Borthwick, his eldest son and apparent heir, and for Catherine Creighton mother to the said Alexander and William, tenants and possessors of the town and lands of Johnstonburn. William Borthwick died in 1640, leaving two sons,

1. *William* Borthwick of Johnstonburn, a colonel in the army, designed Captain William Borthwick, younger of Soltray, in a renunciation dated 7th August 1635, in which his brother Alexander is mentioned. He had two daughters, Barbara and Catherine, and a son, Colonel William Borthwick, who, 16th May 1669, obtained a precept of clare constat, for infefting him in the lands of Johnstonburn, was served heir of his father 28th June 1690, and was killed at the battle of Ramilies, in 1706, without issue, as is proved by a renunciation by his two sisters of the representation, dated 12th November 1709.

Inq. Ret. xii. 208.

2. *Alexander.*

VIII. ALEXANDER BORTHWICK, in Johnstonburn, afterwards in Gilchriston, the second son, is mentioned in his brother's renunciation, 7th August 1635, and is designed Alexander Borthwick in Johnstonburn, second lawful son to umquhile William Borthwick of Soutray, 26th August 1642. He had a son,

IX. WILLIAM BORTHWICK of Pilmuir, who is documented by a disposition dated 25th January 1666, by Alexander Borthwick, sometime in Johnstonburn, now in Gilchriston, to William Borthwick, chirurgeon, burgess of Edinburgh, his eldest son. He died before 1698, leaving a son,

X. HENRY BORTHWICK of Pilmuir, who is documented by a bond granted by Henry, only lawful son and heir of the deceased William Borthwick of Pilmuir, dated 18th January 1698. He was killed at the battle of Ramilies in 1706, leaving two sons,

1. *William*, who died without issue, previous to 30th October 1723, when Henry his brother was confirmed only executor dative ad omissa qua nearest in kin to Henry Borthwick his father; and Henry, Lord Borthwick, was served heir of his brother William, 6th July 1764.

2. *Henry.*

XI. HENRY BORTHWICK, the second son, had the title of Lord Borthwick adjudged to him, 8th April 1762, by the House of Lords, as already mentioned, was tenth Lord Borthwick, and died without issue, 6th September 1772.

VII. ALEXANDER BORTHWICK, in Reidhall, second son of William Borthwick, (No. VI.) is documented by the contract with Earl Marischal, 1st February 1603, already mentioned. He acquired the lands of Sauchnell, as is proved by a contract of sale, 23d January 1606, between John Preston and others on the one part, and Alexander Borthwick in Reidhall, son lawful to umquhile William Borthwick of Soutray, on the other part. His son,

VIII. ANDREW BORTHWICK of Sauchnell, was enfeoffed in that estate, 25th November 1641, being described lawful son and heir apparent of Alexander Borthwick of Sauchnell. [Andrew Borthwick of Sauchnell was served heir of conquest of Walter Borthwick, merchant, burgess of Edinburgh, fratris germani immediate junioris, 23d September 1676.] He died sometime after 1687, leaving two sons,

Inq. Ret. xxxiii. 53.

1. *Charles* Borthwick, writer in Edinburgh, designed eldest son of Andrew Borthwick of Sauchnell, in a contract of wadset, 23d November 1661, who died without issue in May 1718.

2. *Archibald.*

IX. ARCHIBALD BORTHWICK the second son, minister, first of Grecnlaw, afterwards of Polwarth, had a disposition of the lands of Sauchnell, 5th April 1679, from Andrew Borthwick of Sauchnell, to Archibald Borthwick his second lawful son. He died before 5th September 1727, when a submission was entered into by Catherine Lawson, the widow, and Barbara Borthwick, only daughter of Archibald, late minister of Polwarth, by his second marriage, on the one part, and Patrick Borthwick, merchant in Leith, only son of the said Mr Archibald, of his first marriage, on the other part.

Borthwick. X. PATRICK BORTHWICK, the only son, died in 1772, leaving a son,

XI. ARCHIBALD BORTHWICK, banker in Edinburgh, the claimant.

John Borthwick of Crookston, (whose father had in 1774, presented to the King a petition claiming the title, now revived, but still undetermined as already mentioned,) opposing the claim of Archibald Borthwick, there was laid before the House of Lords, the "Case of John Borthwick, Esq. "of Crookston, objecting to the claim of "Mr Archibald Borthwick, to the title of "Lord Borthwick." According to the pedigree prefixed to this case, the succession of the Borthwick family is as follows:

I. Dominus WILLIELMUS DE BORTHWICK, miles, greatly employed in state affairs, about 1398; died in 1429, being distinguished from his son, by the epithet senior, father of

II. Sir WILLIAM BORTHWICK, junior, sent ambassador to Rome, in 1425, created first Lord Borthwick in 1433, died before 1458, father of William, second Lord Borthwick, and of John de Borthwick, who acquired the estate of Crookston, in 1446, from whom the objector, the present Mr Borthwick of Crookston, is descended through ten generations, in a direct male line.

III. WILLIAM, second Lord BORTHWICK, knighted at James II.'s baptism, 1430, as a person ætate tunc tener; died betwixt January 1488 and December 1489, being about 69 years old, father of William, third Lord Borthwick, and Alexander Borthwick, who appeared with his father in Parliament 21st January 1488, and is mentioned with his brother the third Lord in 1495. Borthwick.

IV. WILLIAM, third Lord BORTHWICK, of full age in 1476, killed at Flodden in 1513, being at least 58 years old, father of William, fourth Lord Borthwick, and Alexander Borthwick, the filius naturalis of Nenthorn, married Margaret Lawson, in 1489, from whom Henry, late Lord Borthwick, and the present claimant trace their descent.

V. WILLIAM, fourth Lord BORTHWICK, married to Margaret Hay, daughter of Lord Yester, in 1491. He executed an entail of his estates 1538, from which he excluded the family of Nenthorn. To him succeeded John, fifth; William, sixth; James, seventh; John, eighth; and John, ninth Lord Borthwick, who died in 1672, without issue.

Various proceedings have been had before the House of Lords, respecting the claim of Archibald Borthwick, esquire, but their Lordships have not yet come to a determination on the same.

ARMS of the Lords Borthwick.—*Argent*, three cinquefoils, sable.

SUPPORTERS.—Two angels, proper, winged, Or.

CREST.—A Moor's head, couped, proper.

MOTTO.—*Qui conducit.*

APPENDIX.

No. I.—CREATIONS OF THE PEERS OF SCOTLAND, ARRANGED IN CHRONOLOGICAL ORDER.

N.—*Errors in the dates of creations, and limitations of titles, in the preceding work, are corrected in this Appendix, as far as the Editor has been enabled to rectify them.*

1057-1063. *From the establishment of King Malcolm III. (Canmore) on the throne of Scotland, 1056, to the accession of King Robert I., 27th March 1306.*

1057. Macduff, Earl of Fife. This antient earldom descended from father to son for several generations, and then devolved on an heir female, Isabel, Countess of Fife. A charter of the earldom of Fife was granted by King David II. to her husband Sir Thomas Biset, knight, and the heirs male legitimately to be procreated betwixt him and Ysabella de Fife, which failing, to return to the crown, dated 8th June 1362. Registrum Magni Sigilli, 81. Settled by the same lady on Robert, Earl of Menteth, third son of King Robert II. See 28th April 1398.

Before 1063. Marr, Earl of Marr. This earldom existed before our records, and before the æra of genuine history. In 1171 King William I. granted a renewal of the investitures thereof to Morgund, the son of Gillocherus, Earl of Marr, to be held by him and his heirs. Carried by an heir female to William, first Earl of Douglas, whose son James, Earl of Douglas and Marr, was succeeded in the earldom of Marr by his sister Isabel, Countess of Marr. Resigned by her in favour of her husband Alexander Stewart, and the heirs to be procreated betwixt them; which failing, to his lawful heirs and assignees whatsoever. Ratified by King Robert III. by charter under the great seal, 21st January 1404-5, notwithstanding he had engaged under his great seal, 22d November 1393, not to accept of any resignation of the earldom of Marr to the prejudice of the rightful heir, Sir Thomas de Erskine. Suth. Add. Case. The earldom of Marr restored to the family of Erskine 1565, and forfeited 1715. 1063-1124.

About 1115. Madach, son of King Donald Bane, Earl of Atholl. Carried by heirs female to the families of de Gallovidia, Hastings, and Strathbogie, and forfeited in the reign of King Robert I., 1323.

About 1115. Earl of Strathern. Forfeited in the reign of Edward Baliol, who granted that earldom to John de Warren, Earl of Surry, designed Earl of Surry and Strathern 1334. See 1343.

Before 1130. Earl of Moray. Angus, Earl of Moray, was killed at Strickathro that year. Dalr. Ann. I. 76.

1124-1153. Earl of Caithness. Appears to have been carried by an heir female to the Earls of Orkney.

1124-1153. Earl of Menteth. Carried by heirs female to the Cumyns and Stewarts, finally

1130-1314. to Robert Stewart, third son of King Robert II. See 28th April 1398.

Before 1130. Dunbar, Earl of Dunbar and March. New charter of the earldom to George de Dunbarr et hæredibus suis, 25th July 1367. Registrum Magni Sigilli, 62. Forfeited in 1435.

Before 1138. Earl of Angus. Carried by an heir female to the English family of Umphraville in 1243, and forfeited in the reign of King Robert I.

1153-1165. Levenax, or Lennox, Earl of Levenax or Lennox. Carried by an heir female to Walter de Faslane, and appears to have descended through another heir female to the Stewarts of Derneley. See 1473 and 7th October 1488.

1153-1165. Ross, Earl of Ross. Carried by heirs female to Walter Leslý, Alexander, Earl of Buchan, and Macdonald, Lord of the Isles. Forfeited 1475.

1165-1200. Buchan, Earl of Buchan. Carried, by an heir female, to the Cumyns, and forfeited in the reign of King Robert I.

1165-1200. Earl of Carrick. Carried by an heir female to Robert de Brus, whose son Robert de Brus became King of Scotland 1306.

About 1228. William de Sutherlandia, Earl of Sutherland. Carried, by an heir female, into the family of Gordon in 1514, and now enjoyed by Elisabeth, Countess of Sutherland, Marchioness of Stafford, lineal heir of the body of the first Earl, being the most antient subsisting title in Britain.

Before 1284. Magnus, Earl of Orkney, appears to have been carried by heirs female to the Earls of Strathern, then to the Sinclairs of Orkney. See 1379.

KING ROBERT I.

From 27th March 1306 to 7th June 1329.

About 1314. Sir Edward Bruce, knight, brother of the King. Earl of Carrick, to him et hæredibus suis masculis de corpore suo, et hæredum suorum masculorum exeuntibus, et tantummodo per lineam directam et masculinam continue descendentibus, nisi in casu in quo plures fuerint fratres germani superstites, in quo casu decedente primogenito vel deficiente sine hæredibus masculis de suo corpore procreatis, secundo genitus in dictum comitatum hereditarie eidem succedat. Registrum Magni Sigilli, 9. (No date.) Extinct soon after 1334.

About 1314. Sir Thomas Ranulph, knight, nephew of the King. Earl of Moray, to him et hæredibus suis masculis de corpore suo legitime procreatis seu procreandis. Quibus hæredibus dicti Thome masculis deficientibus, quod absit, volumus quod dictus comitatus ad nos et hæredes nostros libere et integre et sine aliqua contradictione revertatur. (No date.) Robertson's Index, xlix. His son John killed at Durham 1346; when the earldom was, notwithstanding the restriction to heirs male, assumed by his heroic sister Agnes, Countess of Dunbar and March. Her second son, John de Dunbar, created Earl of Moray. See 9th March 1371-2. 1314-1331.

Before 1329. Sir John Campbell of Moulin, nephew of the King. Earl of Atholl. Robertson's Index, 62. Killed at Halidonhill without issue 1333, when the earldom reverted to the crown.

Before 15th June 1329. Sir John Stewart of Bonkyl. Earl of Angus. So designed in a charter of that date. A. Stuart, 56. Carried, by an heir female, to George de Douglas, son of William, first Earl of Douglas, who had a charter of that earldom in 1389, to him and the heirs lawfully to be procreated of his body. Suth. Add. Case. V. 33. Resigned by Archibald, sixth Earl of Angus, and charters granted to him et suis hæredibus masculis et suis assignatis quibuscunque, 31st August 1547, confirmed 11th November 1564, ratified by parliament 19th April 1567. Action of reduction brought by King James VI. as heir of line, determined against the King by decreet of absolvitor, 7th March 1588-9. Contract of vendition, whereby the King disponed the earldom of Angus to William, Earl of Angus, his heirs male and of tailzie, ratified by act of Parliament 1592. See 17th June 1633. This antient earldom, the second existing title in Scotland, appears to have merged in the dukedom of Hamilton, and now to be vested in the present Duke, descended from the body of the first Earl.

KING DAVID II.

From 7th June 1329 to 22d February 1370-1.

About 1340. William Douglas, Lord of Liddisdale. Earl of Atholl. Resigned by him to Robert, great steward of Scotland, to whom he granted a charter of that earldom, 16th February 1341. Robertson's Index, 125.

9th November 1341. Sir Malcolm de Fleming, knight. Earl of Wigtoun, by royal charter to him et hæredibus suis de corpore suo per lineam masculinam directe descendentibus. Robertson's Index, li. Thomas, second Earl of Wigtoun, sold the earldom, 8th February 1371-2, to Archibald Douglas, Lord of Galloway, and being thus denuded of the title, was thenceforward styled simply Thomas Fleming de Fulwood, dudum Comes de Wigtoun.

1343. Sir Maurice Moray of Drumsargard, Lord of Clydesdale, nephew of Malise, Earl of Strathern. Earl of Strathern. Extinct on his death in 1346.

1356-1379. 4th February anno regni 28, that is 1356-7, more probably anno regni 29, that is, 1357-8. Sir William de Douglas, knight. Earl of Douglas. Robertson's Index, 31. Forfeited in 1455.

About 1358. Robert, great steward of Scotland, nephew of the King. Earl of Strathern. Succeeded to the throne 1370-1.

About 1361. William de Cunynghame, husband of Lady Eleanor Bruce. Earl of Carrick. Registrum Magni Sigilli, 23. Probably resigned by him.

22d June 1363. John Stewart, eldest son of Robert, great steward of Scotland. Earl of Carrick. Macleod's Casus Principis, 22. Witnessed a resignation in parliament, 23d October 1370. Registrum Magni Sigilli, 74. Charter of the earldom to him and Arabille his wife, and the longest liver of them, and the heirs *legitimately* procreated, or to be procreated betwixt them, 1st June 1374. Reg. Mag. Sig. 102. Succeeded to the throne 1390.

KING ROBERT II.

From 22d February 1370-1 *to 19th April* 1390.

19th June 1371. David Stewart, fifth son of the King. Earl of Strathern, to him and his heirs. Reg. Mag. Sig. 89. His daughter, Euphame, Countess Palatine of Strathern, married Sir David Graham. Their son Malise, deprived of the earldom of Strathern, and created Earl of Menteth. See 6th September 1427.

9th March 1371-2. John de Dunbar, and Marjory his wife, daughter of the King. Earl of Moray, by royal charter to them and the longest liver of them, and the heirs legitimately procreated or to be procreated betwixt them; which failing, to George de Dunbarr, Earl of March, and his legitimate heirs whatsoever. Reg. Mag. Sig. 88. Carried by an heir female to Archibald Douglas, (third son of James, seventh Earl of Douglas,) who was forfeited 1455.

About 1374. Alexander Stewart, fourth son of the King. Earl of Buchan. Died without issue 1394, when the earldom, it is supposed, went to his brother Robert, Earl of Fife and Menteth. See 28th April 1398.

About 1375. David Stewart, Earl of Strathern. Earl of Caithness. Designed Earl Palatine of Strathern, and Earl of Caithness, in a charter 14th February 1380-1. Reg. Mag. Sig. 142. Resigned by his daughter Euphame in favour of her uncle Walter, Earl of Atholl.

1379. Henry Sinclair of Roslin. Earl of Orkney. Resigned into the King's hands, and annexed to the crown 1471. See 28th August 1455.

KING ROBERT III.

1390-1406.

From 19th April 1390, *to 4th April* 1406.

About 1390. David Stewart, eldest son of the King. Earl of Carrick, also Earl of Atholl. See 28th April 1398.

About 1394. Walter Stewart, brother of the King. Earl of Caithness, on the resignation of his niece Euphame, Countess Palatine of Strathern. Robertson's Index, 149. Resigned by him in 1430, in favour of his second son Alan, on whose death, in 1431, it returned to him, and was forfeited in 1437.

21st April 1398, Sir David Lindsay of Glenesk, brother-in-law of the King. Earl of Crawford. Fordun, II. 422. David Seigneur de Lyndessay was one of the commissioners to adjust national differences with the English, 16th March 1398, and a safe conduct was granted to David, Earl of Crawford, with thirty horsemen, 19th October 1398. Fœdera, VIII. 35, 48. Resigned in favour of John, Earl of Lindsay, 1644. Dormant. See 18th May 1488.

28th April 1398. David Stewart, Earl of Carrick and Atholl, eldest son of the King. Duke of Rothsay. Fordun, II. 422. He witnessed a charter 14th November 1398, under the designation of David Stewart, Duke of Rothsay, Earl of Carrick and Athayle. Reg. Mag. Sig. 226. Died 1402. The dukedom of Rothsay and earldom of Carrick, were conferred on his brother James, Prince of Scotland, by charter of 10th December 1404. Carmichael's Tracts, 103. He succeeded to the throne 1406, and these titles are now vested in the eldest son of the King of Scotland for the time being.

28th April 1398. Robert Stewart, Earl of Fife, Menteth, and Buchan, brother of the King. Duke of Albany. Fordun II. 422. Forfeited in 1425.

KING JAMES I.

From 4th April 1406, *to 21st February* 1436-7.

Robert, Duke of Albany, Regent till 3d September 1419.

Murdac, Duke of Albany, Regent from 1419 *to* 1424.

20th September 1406. John Stewart, second son of Robert, Duke of Albany, Regent. Earl of Buchan, to him and the heirs male of his body, lawfully to be procreated; which failing, to Andrew and Robert Stewart, his brothers, and the heirs male of their bodies respectively; which failing, to return to the Regent, and his legitimate heirs. Suth. Add. Case, vi. 155. Merged in the dukedom of Albany, 1424, and forfeited 1425.

1408-1439. About 1408. Walter Stewart, Earl of Caithness, uncle of the king. Earl of Atholl. Designed Walter Stewart, Earl of Atholl and Caithness, knight, in a charter granted to him by Robert, Duke of Albany, 22d September 1409. Reg. Mag. Sig. 227. Attainted and executed for the execrable murder of his nephew King James I., in 1437.

28th May 1426. Alexander Stewart, Earl of Marr, natural son of Alexander, Earl of Buchan. Earl of Marr for life, and after his decease to his natural son Sir Thomas Stewart, and the heirs male of his body lawfully procreated, or to be procreated, which failing, to return to the crown. Mag. Sig. L. ii. No. 8. Extinct 1435.

6th September 1427. Malise Graham, late Earl of Strathern, of which title he had been divested the same year. Earl of Menteth, to him and the heirs male lawfully procreated or to be procreated of his body, which failing, to return to the crown. Suth. Add. Case, v. 57. William, seventh Earl of Menteth, served heir of the Earls of Strathern 1630, and bore that title. Patent 31st July 1631, volumus et concedimus quod præfatus Willielmus Comes Taichiæ, hæredesque sui masculi et talliæ comitatus Taichiæ, Comites Jerniæ et Taichiæ, lie Stratherne et Menteth, omni tempore affuturo appellentur et vocentur. Mag. Sig. L. liii. No. 48. Robertson's Proceedings, 224. Retour set aside, and a patent of the earldom of Airth, granted 21st January 1633, to him and his heirs, with precedency from 6th September 1427. Dormant.

15th May 1430. Alan Stewart, second son of Walter, Earl of Atholl and Caithness. Earl of Caithness, to him and the legitimate heirs male of his body, which failing, return to his father, (who had resigned that earldom in his favour,) and his heirs. Mag. Sig. L. iii. No. 74. Died without issue, 1431, when the earldom reverted to his father, and was forfeited 1437.

Before 15th December 1430. Thomas Somerville of Carnwath. Lord Somerville. Thomas, Dominus Somerville, was one of the conservators of a truce with the English of that date. Fœdera, X. 487.

1433. Sir William Borthwick of Borthwick, knight. Lord Borthwick. Fordun, II. 542. William, Lord Borthwick, granted a charter 1446, penes Cranston de Dewar. William, Lord Borthwick appeared in Parliament, 14th March 1457-8. Suth. Add. Case, iv. 55.

KING JAMES II.

From 21st February 1436-7, to 3d August 1460.

Before 5th September 1439. Robert Stewart of Lorn. Lord Lorn. Robertus Dominus Lorn, witnessed a charter of that date. Resigned in favour of Colin, Earl of Argyll, 1470, for the barony of Innermeath, and thenceforward styled Lord Innermeath. See 6th March 1595-6. 1439-1445.

Before 22d December 1439. James de Douglas of Balveny, second son of Archibald, third Earl of Douglas. Earl of Avendale. So designed in a charter granted to him of that date. Mag. Sig. L. iii. No 178. Merged in the earldom of Douglas, 1440, and forfeited 1455.

Before 17th July 1442. Sir Alexander de Forbes. Lord Forbes. So designed in a precept to the Exchequer of that date. Carmichael's Tracts, 13, 14.

1445. Hugh de Douglas, fourth son of James, seventh Earl of Douglas. Earl of Ormond. Fordun, II. 541. Forfeited 1455.

28th June 1445. Sir James Hamilton of Cadyow. Lord Hamilton, to him and his heirs, by royal charter of that date. See 11th August 1503.

28th June 1445. Laurence Abernethy of Salton. Lord Abernethy of Salton. Carmichael's Tracts, 13, 43. Lord Abernethy occurs in the records of Parliament, 19th October 1456. Rec. Parl. 39. Carried by an heir female, to the Frasers of Philorth in 1669.

Before 6th July 1445. Andrew Gray of Foulis. Lord Gray. Charter of that date by Andrew Lord Gray, Mag. Sig. L. vi. No. 26. "The noble lord and baron, Andrew, Lord Gray," was one of the commissioners who concluded a treaty with the English 14th November 1449, Fœdera, XI. 244. At page 609 of the first volume of this work it is stated that the creation of Lord Gray, as a lord of Parliament, took place before 9th October 1437, when Dominus Gray was one of the lords of the articles for the peers. Carmichael's Tracts, 42. In that work 1437 is an erroneous date for 1466, as appears from the records of Parliament, 141, 9th October 1466, when Dominus Gray was elected one of the auditores querelarum. New patent, 8th January 1639, ratified in Parliament 17th November 1641, to William Gray, eldest son of Sir William Gray of Pittendrum, and the heirs male procreated or to be procreated betwixt him and Anne, Mistress of Gray, his wife; which failing to the said Sir William Gray of Pittendrum, and his nearest and lawful heirs male whatsoever, bearing the name and arms of Gray. New patent or charter, dated at St James's 27th February 1707, of this tenor: Anna, &c. quandoquidem nos perpendentes permulta magna et fidelissima servitia, nobis nostrisque regiis progenitoribus per Dominos de Gray, aliosque de illa familia, facta et præstita, et specialiter consideran. bona et fidelissima servitia, nobis et prædecessoribus nostris per Joannem Gray de Crichie præstita, et qui nuptus fuerit nunc defunctæ Magistræ Marjoriæ Gray, unicæ filiæ et natæ Patricii Domini Gray, et alioque tam intime relatus sit dict. familiæ ut post dict. Patrici-

1448. um Dominum Gray et Magistrum Carolum Gray, unicum ejus fratrem superstitem et eorum deficien. masculos, ipse propinquior hæres masculus sit, in quem honores dictæ familiæ devolvere poterint, et quæquidem honores in manibus nostris modo subscript. resignatæ sunt: Noveritis igitur nos ex nostra libera voluntate proprioque motu, dedisse prædict. Joanni Gray de Crichie durant. omnibus suæ vitæ diebus, et post ejus decessum Joanni Gray, filio legitimo natu maximo inter illum et prædict. defunctam Magistram Marjoriam Gray, procreat. et hæredibus de corpore dicti Joannis Gray junioris, quibus deficien. aliis filiis natu maximis, et hæredibus masculis dict. maritagio procreat. et hæredibus de eorum corporibus; quibus etiam deficien. hæredi femellæ natu maxime sinæ divisione, inter prædict. Joannim Gray de Crichie, et Magistram Marjoriam Gray, procreat. et hæredibus de corpore dict. hæredis femellæ filia omnimodo natu maxima succeden. sine divisione, et cum et sub diversis provisionibus, conditionibus, et irritantiis super dict. filios et hæredes femellas in casu eorum successionis in procuratoria resignationis subtus mentionat. latius content. Et deficien. omnibus liberis de prædicto maritageo inter prædict. Joannem Gray de Crichie et Magistram Marjoriam Gray procreat. et hæredibus de eorum corporibus, propinquiori hæredi masculo dicti Patricii Domini Gray, et hæredibus masculis de corpore dicti hæredis, quibus deficien. hæredi masculo de corpore dict. Joannis Gray de Crichie, de ullo alio maritagio, quo etiam deficien. aliis ejus hæredibus masculis quibuscumque, totum et integrum honorem, titulum, et dignitatem Domini Gray, baronis, et domini parliamenti, cum omnibus et singulis dignitatibus, &c. eidem spectan. sicuti idem per prædict. Patricium Dominum Gray, vel ullos alios ejus prædecessores Dominos de Gray, ullo tempore præterito possess. fuit: Quiquidem honor titulus et dignitas Domini de Gray. baronis et domini parliamenti, cum omnibus et singulis dignitatibus, privilegiis, præcedentiis, et prerogativis eidem spectan. perprius ad prædictum Patricium Dominum Gray pertinuerint, et per eum cum consensu Magistri Caroli Gray, Advocati, ejus unici fratris, et prædict. defunctæ Magistræ Marjoriæ Gray, ejus uniceæ filiæ et natæ, et per dictum Magrum Carolum Gray et Magram Marjoriam Gray, per seipsos, pro ullo et omni jure quod illi ad præsdict. honores habuerunt vel habere potuerunt, et per eos omnes unanimo consensu, et assensu, saltem per eorum legitimos procuratores eorum nominimibus per literam procuratoriæ resignationis, per eos legitime desuper concess. et subscript. de data 12, 18, et 31 diebus Decembris 1690, specialiter constitutos, in manibus nostris, in debita forma 20mo Februarii instantis, pro novo securitate et patenti litera ejusd. prædicti Joanni Gray de Crichie, duran. omnibus suæ vitæ diebus, et post ejus decessum prædict. Joanni Gray, ejus filio natu maximo, ejusque hæredibus

talliæ supra mentionat. in ordine, et cum et sub 1457-1450.
provisionibus et conditionibus in dicta procuratoria content Dan. et conceden. debite et legitime resignati fuerunt, Teriend. &c. Et nos volumus et declaramus quod non obstan. præsentis literæ patentes quandocunque contigerit diet. honorem, titulum, et dignitatem Domini de Gray per decessum dict. Patricii Domini de Gray et Joannis Gray de Crichie, cadere, et ad prædict. Joannem Gray juniorem, ejus filium, vel ad ullum alium hæredem talliæ prædicto Patricio Domino de Gray, in sanguine propinquiorem devolvere, quod dictus Joannes Gray, junior, dict. que hæredes talliæ antedict. plenum habebunt potestatem et libertatem prædict. honorem, titulum, et dignitatem Domini de Gray, omnesque singulas dignitates, privilegia, præcedentias, prærogativa, et immunitates eidem spectan. fruendi et possidendi tam jure sanguinis, quam jure præsentis diplomatis, et hoc absque confusione jurium, seu jurium extinctione quovis modo. Mag Sig. L. lxxxii. No. 125.

Before 3d January 1447-8. Sir John de Halyburton, or his father Sir Walter. Lord Halyburton and Dirleton. So designed in a charter of that date. Carried by an heir female to the family of Ruthven, Earl of Gowrie, and forfeited 1600.

Before 23d April 1448. Sir William Crichton of Crichton. Lord Crichton. Willielmus Dominus Creghtou, miles, cancellarius, had a safe conduct to pass through England of that date. Fœdera XI. 213. Lord Crichton sat in Parliament 14th October 1467. Rec. Parl. 149. Forfeited 1484. See 29th August 1644.

Before 31st January 1448-9. Sir Alexander de Montgomery of Ardrossan. Lord Montgomery. Designed Alexander, Lord Montgomery, in a charter of that date, in the possession of the Earl of Eglinton. See 20th January 1507-8.

Before 20th June 1449. George Seton of Seton. Lord Seton. Designed George, Lord Seton, in a charter of that date. See 16th November 1600.

Before November 1449. Herbert Maxwell of Caerlaverock. Lord Maxwell. Herbertus Dominus Maxwell, is one of the guarantees of a truce with the English that month. Fœdera XI. 253. See 29th October 1581, and 20th August 1620.

8th January 1449-50. Alexander Seton, Lord Seton, Lord of Gordon. Earl of Huntly, by royal charter, to him, et prolibus et hæredibus inter ipsum et Elisabetham sponsam suam Comitissiam de Huntly procreatis seu procreandis, quibus forte deficientibus, veris, legitimis, et propinquioribus hæredibus dicti Alexandri quibuscunque. Mag. Sig. L. iv. No. 106. See 17th April 1599.

Before 16th February 1449-50. Patrick Lyon of Glamis. Lord Glamis. So designed in a charter of that date. Mag. Sig. L. iv. No. 108. Fordun II. 542 places his creation in 1445. See 10th July 1606.

1450-1453. Before 2d March 1449-50. William Hay, Constable of Scotland. Lord Hay of Errol. Charter of that date, Willielmo Domino le Hay. Mag. Sig. L. iv. No. 9. See 17th March 1452-3.

Before 5th July 1451. Sir Patrick Grahame of Kincardine. Lord Graham. Patricius Dominus Graham had a safe conduct into England of that date. Fœdera XI. 285. See 3d March 1504-5.

Before 5th July 1451. Sir John Lindsay of Byres. Lord Lindsay of Byres. John Dominus de Lyndesay had a safe conduct into England of that date. Fœdera. According to Fordun II. 452, he was so created 1445. The Lord Lindessay of ye Biris, sat in Parliament 19th October 1456. Rec. Parl. 39. See 8th May 1633.

Before 19th June 1452. Sir Duncan Campbell of Lochow. Lord Campbell. Charter of that date to Duncan, Lord Campbell. Mag. Sig. L. iv. No. 286. According to Fordun, II. 542, he was so created 1445. See 1457.

Before 8th July 1452. Sir George de Crichton of Cairns, high admiral of Scotland. Earl of Caithness, to him and the heirs male of his body, by his second wife. Charter of that date to George Earl of Caithness. Mag. Sig. L. iv. No. 292. Extinct in 1455.

17th March 1452-3. (misprinted 1542-3, Vol. I. p. 547.) William, Lord Hay of Errol. Earl of Errol. Designed Earl of Errol in a resignation in March 1453. Entail made of the earldom, in virtue of which it devolved, in 1530, on the heir male. Charter of the earldom 13th December 1541, to the sixth Earl and the heirs male of his body, which failing, to other heirs male. Charter of the earldom 13th November 1666, to Gilbert tenth Earl of Errol, et hæredibus masculis ex ipsius corpore, quibus deficientibus, hæredibus femellis ex ejus corpore, seniore semper preferenda et absque divisione succeden. dicta hæres femella successive succeden. omni tempore futuro nuben. viro nobili vel generoso cognominis de Hay, aut ex aliquo alio cognomine qui cognomen suum mutabit, et cognomen de Hay assument, ac illi et hæredes seu liberi masculi et femellæ de eorum corporibus procreand. semper uten. cognomine de Hay, et insigniis familiæ de Errol geren. quibus deficientibus alicui personæ seu aliquibus personis, ac eorum hæredibus quas dictus Gilbertus Erroliæ, Comes, aliquo tempore suæ vitæ ac etiam in articulo mortis nominaverit, per aliquem scriptum nominationem seu designationem, sub ejus subscriptione manuali, fore hæredem seu hæredes talliæ ad ipsius honorem, titulum, dignitatem, et statum, et sub talibus restrictionibus, provisionibus, et conditionibus ab ipso in eadem designatione inserend. quæ tanquam pro express. in hac presenti carta nostra tenebuntur, quibus deficien. vel si dictus noster consanguineus nominationem seu designationem in sua vita non fecisse contigerit, vel fact. si ipsi placeat eandem revocare, in iis casibus vel eorum quolibet, honor, titulus, dignitas, terræ et 1453-1457.
status supra et subscript. ad hæredibus masculos talliæ et provisionis in prioribus infeofamentis, ipsius status expressis pertinebit, quibus deficien. hæredibus masculis præfati Gilberti quibuscunque, quibus omnibus deficien. hæredibus suis et assignatis, totum et integrum honorem, titulum, et dignitatem Erroliæ Comitis Domini Hay, et dicti regni nostri Scotiæ magni constabularii, totas et integras terras et barronias, &c. Mag. Sig. L. lxi. No. 214. Charter of the earldom, constabulary, &c. 14th March 1674. Domino Joanni Hay, consanguíneo proximo Gilberti Comitis de Errol, et hæredibus masculis de corpore suo legitime procreandis, quibus deficien. hæredibus femellis de ejus corpore legitime procreandis, seniore semper preferenda et absque divisione succeden. dicta senior hæres femella succeden. nuben. viro nobili aut generoso cognomine de Hay, aut ex aliquo alio cognomine, qui cognomen suum mutabit et cognomen de Hay assumet, ac illi et hæredis sui masculi et femellæ de eorum corporibus procreand. semper uten. cognomine de Hay, et insigniis familiæ de Errol uten. et geren. proviso tamen quod dictus Dominus Joannes Hay, cum expresso avisamento et consensu dict. Gilberti Comitis de Errol, duran. ejus vita nubere astrictus fuerit, et quamcunque dotem matrimonio suo acquiret, et quamcunque fortunam seu statum pro presenti habet, vel in futurum acquisiverit, per specialem avisamentum et consensum dicti Gilberti Erroliæ Comitis, et in ejus commodum et usum impendere, quibus deficien. aliis diversis personis et eorum hæredibus respective et successive, in nominationibus content. per dict. Gilbertum Erroliæ Comitem hactenus fact. et ut inibi exprimitur, quibus deficien. hæredibus masculis et talliæ et provisionis dicti Gilberti Erroliæ Comitis, in ipsius prioribus infeofamentis ejus status subscript. express. quibus deficien. hæredibus masculis quibuscunque dicti Gilberti, quibus omnibus deficien. hæredibus suis et assignatis. Mag. Sig. L. lxiv. No. 291. Went by an heir female to the Boyds of Kilmarnock, 1758.

28th August 1455. William Sinclair, Earl of Orkney. Earl of Caithness, to him and his heirs. Suth. Add. Case, iv. 45. Resigned by him in favour of his son William of the second marriage, and charter granted of the earldom, 7th December 1476, to William the son, and his heirs whatsoever. Mag. Sig. L. vii. No. 393. New charter of the earldom 2d October 1545, to John Sinclair son and heir apparent of George, Earl of Caithness, and his heirs male and assigns, which failing, to his father the Earl, and his heirs male whatsoever. Mag. Sig. L. xxix. No. 272.

Before 11th June 1457. Sir John Stewart of Balveny, uterine brother of the King. Earl of Atholl. Designed Johannes Comes Atholiæ in an instrument of that date. Fœdera, XI. 393. Charters of the earldom to him, 18th March 1480-1,

1457-1458. by King James III. Scistis nos propinquitate sanguinis et cordiale dilectione, quam gerimus erga carissimum avunculum nostrum Dominum Joannem Stewart de Balveny, militem, fratrem carnalem quond. progenitoris nostri serenissimi Jacobi II. Scotorum Regis, dedisse dicto carissimo avunculo nostro, totum et integrum comitatum Atholiæ et terras ejusdem comitatus, cum pertinen. &c. tenend. et habend. dicto Domino Joanni Stewart, et hæredibus masculis de corpore suo, quibus deficientibus nobis et hæredibus nostris libere revertend. Mag. Sig. L. x. No. 7. On the failure of his male line in 1595, the earldom accordingly reverted to the crown, and was granted to Lord Innermeath. See 6th March 1595-6. His son dying without male issue, the earldom of Atholl again reverted to the crown. John Murray, only son of William, Earl of Tullibardine, heir of line of John, first Earl of Atholl, was served heir of the said first Earl, 6th August 1628, and had the title of Earl of Atholl confirmed to him by King Charles I. See 17th February 1629.

Before 11th June 1457. Sir Andrew Stewart of Avandale. Lord Avandale. Andreas, Dominus de Anandalia was conservator of a truce with the English that day. Fœdera, XI. 393. Andreas, Dominus Anendale was a commissioner to England, 2d June 1460. Ibid. Appears to have become extinct about 1488. See 4th February 1499.

Before 6th August 1457. Sir Thomas Erskine of Erskine. Lord Erskine. Thomas, Dominus Erskine, witnessed a royal confirmation of a treaty with England that day. Fœdera, XI. 404. Sat in parliament, 14th October 1467. Rec. Parl. 149. Found entitled to the antient earldom of Marr 1565.

1457. Colin, Lord Campbell. Earl of Argyll. See 15th November 1641. Forfeited 1661. Restored 16th October 1663. Mag. Sig. L. ix. No. 340, 341. See 3d June 1701.

Before 6th March 1457-8. Sir Patrick Hepburn of Hales. Lord Hales. Lord Halys sat in parliament that day. Rec. Parl. 40. See 17th October 1488.

14th March 1457-8. James Douglas of Dalkeith. Earl of Morton. Suth. Add. Case, iv. 55. New charter of the earldom about 1450, by James, third Earl of Morton, in favour of James Douglas, husband of his youngest daughter Lady Elisabeth, and other heirs, confirmed by royal charters of 22d April 1543, and 2d June 1564, ratified by act of parliament 1567, to James, Earl of Morton, and Lady Elisabeth Douglas his wife (daughter of James the third Earl,) and the longest liver of them, and the heirs male procreated or to be procreated betwixt them; which failing, to the heirs male legitimately to be procreated of James, then Earl of Morton, (husband of Lady Elisabeth,) which failing, to Archibald, Earl of Angus, William Douglas of Lochleven, Francis Douglas of Langnudre, William Douglas of Quhittingham, William Douglas, lawful son of the deceased Richard Douglas brother-german of the late James, Earl of Morton, who died last, James Douglas, brother-german of the said William Douglas, and the heirs male of their bodies respectively; which failing, to the nearest legitimate heirs male whatsoever of James, now Earl of Morton, bearing the name and arms of Douglas; which all failing, to the legitimate heirs of the said Earl or his assignees whatsoever. Rec. Parl 763. Forfeited 1581, and the title of Earl of Morton conferred on Lord Maxwell. See 29th October 1581. Forfeiture rescinded 1585, when the earldom of Morton went to Archibald, Earl of Angus, the heir of entail, and on his death in 1588, it devolved on Sir William Douglas of Lochleven, next heir of entail. 1457-1458.

Before 20th March 1457-8. Sir George de Lesley of Rothes. Earl of Rothes. So designed in a charter to him of that date. According to Fordun, II. 452, the lordship of Lesly de Levin was created 1445. Charter dated 4th July 1663, of the titles of Earl of Rothes, Lord Lesley, and Ballimbreich, with the whole estates of the earldom, to John, sixth Earl of Rothes, and the heirs male of his body; which failing, hæredi femellæ natu maximæ procreatæ seu procreandæ de corpore dicti comitis, vel de corpore ejus hæredum masculorum, absque divisione, she marrying a gentleman of the name of Lesley, or who shall assume that name; which failing, to the heirs male of the body of Margaret, Countess of Wemyss, sister of the said Earl, procreated betwixt her and her first husband Alexander, Lord Balgony; which failing, to the second son of Lady Mary Lesley, also sister of the said Earl, procreated betwixt her and Hugh, Earl of Eglintoun, and the heirs male of his body; which failing, to her third and younger sons, and the heirs male of their bodies respectively, (with this proviso, that any of them succeeding as Earl of Eglintoun, the earldom of Rothes shall go to the next heir of entail;) which failing, to Sir John Lesley of Newtoun, knight, and the heirs male of his body; which failing, to the heirs male whatsoever of John, sixth Earl of Rothes; which all failing, to his heirs and assignees whatsoever, with the original precedency. Mag. Sig. L. ix. No. 312. Ratified by act of parliament the same year. See 29th May 1680.

Before 5th July 1458. William, Lord Keith, Marischal of Scotland. Earl Marischal. So designed in an exchequer account of that date. It is said, in the first edition, that he was created Lord Keith 1450. Forfeited 1715.

Before 30th August 1458. Sir James Livingston of Calendar. Lord Livingston. So designed in a charter to him of that date. Mag. Sig. L. v. No. 42. See 26th December 1600.

1459-1469. Before 13th July 1459. Sir Robert Boyd of Kilmarnock. Lord Boyd. Designed Robert, Lord Boyd, in a treaty of that date. Feedera, XI. 423. Forfeited 1469. Restored 1436. See 17th August 1672.

The following Peers seem to have been created by King James II., the dates not ascertained.

Alexander Stewart, second son of the King. Duke of Albany. Crawford places his creation in 1452. Extinct in 1536.

John Stewart, third son of the King. Earl of Marr. Extinct in 1479.

Sir John Stewart of Dernecley. Lord Derneley. So designed 20th July 1461. See 1473 and 7th October 1488.

Sir William Monypenny. Lord Monypenny. Before 17th July 1464, when a charter was granted to William, Lord Monypenny. Extinct in his son.

Sir Alan Cathcart. Lord Cathcart. So designed in a charter to him, 2d July 1465. Mag. Sig. L. vi. No. 12. Nisbet places his creation in 1447. Heraldry, I. 246.

Sir Gilbert Kennedy of Dunure. Lord Kennedy So designed in a charter to him 16th January 1465-6. See 6th August 1510.

Sir Robert Fleming of Biggar and Cumbernauld. Lord Fleming. Sat in Parliament, 11th October 1466. Rec. Parl. 142. See 19th March 1606.

Sir Robert Lyle of Duchal. Lord Lyle. A charter was granted to Robert Lord Lyle, 13th April 1466. Mag. Sig. L. vi. No. 61. Sat in parliament, 14th October 1467. Rec. Parl. 149. Dormant.

Sir Laurence Oliphant of Aberdalgy. Lord Oliphant. Sat in parliament 14th October 1467. Rec. Parl. 149. Dormant.

Alexander Cunningham of Kilmaurs. Lord Kilmaurs. Sat in parliament 21st November 1469. Rec. Parl. 153. See 28th May 1488.

KING JAMES III.

From 3d August 1460, *to 11th June* 1488.

26th April 1467. Sir Thomas Boyd, brother-in-law of the King, eldest son of Robert, Lord Boyd. Earl of Arran. By royal charter of that date. Mag. Sig. L. vii. No. 117. Forfeited 1469.

1469. Sir James Stewart of Auchterhouse, uterine brother of King James II. Earl of Buchan, to him and the heirs of his body; which failing, to return to the crown. Suth. Add. Case, v. 61. Charter 4th August 1547, to John Stewart, son of the third Earl, and his heirs. Carried by his daughter to her husband Robert Douglas. Their grand-daughter carried the earldom to her husband James Erskine, son of John, Earl of Marr. Charter of the earldom, 22d March 1617, to them in conjunct fee and liferent, and the heirs male of their marriage; which failing, to the nearest lawful heirs male and assignees whatsoever of the said James Erskine. Devolved on David Erskine, Lord Cardross, 1697. 1469-1486.

17th April 1470. Colin Campbell, Earl of Argyll. Lord of Lorn, to himself and the heirs male of his body; which failing, to his uncle Sir Colin Campbell of Glenurchy, and other substitutes of the name of Campbell, and the heirs male of their bodies respectively; which all failing, to his nearest heirs male bearing the name and arms of Campbell. Mag. Sig. L. vii. No. 189.

Before 3d March 1472. Hugh Fraser of Lovat. Lord Fraser of Lovat. Stiled Hew, Lord Fraser of the Lovat, in an indenture of that date. Lovat Case, 18. Charter of the family estates erected into a barony, to Hugh, Lord Fraser of Lovat, and the heirs male of his body, which failing to his nearest legitimate heirs male whatsoever, bearing the name and arms of Fraser, which failing to his heirs whatsoever, 26th March 1529. Suth. Add. Case, vi. 125 Forfeited 1747.

[1473. John Stewart, Lord Derneley, assumed the title of Earl of Levenax or Lennox, having been served heir of Duncan, Earl of Levenax or Lennox, 23d July that year. Sat in Parliament as such 29th November 1475. Rec. Parl. 191. But he soon reverted to his former designation of Lord Derneley. See 7th October 1488.]

2d August 1473. Sir Alexander Home of Home. Lord Home. Rec. Parl. 174. Forfeited 1516, restored 1522. See 4th March 1605.

Before 29th November 1475. Sir John Carlyle of Torthorwald. Lord Carlyle of Torthorwald. Sat in Parliament as Lord Carlyle that day. Rec. Parl. 191. Dormant.

10th July 1476. John Macdonald, late Earl of Ross. Lord of the Isles. Rec. Parl. 195, 199. To him and the heirs male of his body, which failing to Angus and John his natural sons. Charter 15th July 1476. Mag. Sig. L. vii. No. 310. Forfeited before 1498.

1476. James Stewart, second son of the King. Marquis of Ormond. See 23d January 1480-1

23d January 1480-1. James Stewart, Marquis of Ormond, second son of the King. Earl of Ross, Lord of Brechin and Navar, by royal charter of that date. Suth. Add. Case, iv. 56. See 29th January 1487-8.

Before 9th May 1485. Sir John Ramsay. Lord of Bothwell. Sat in Parliament as such that day. Rec. Parl 316. Forfeited 1488.

2d March 1485-6. Alexander Stewart, third son of the King. Earl of Marr and Garviach, to

1487-1488. him and the heirs male of his body, by royal charter of that date. Mag. Sig. L. xi. No. 53. Extinct after 1489.

29th January 1487-8. James Stewart, Marquis of Ormond, and Earl of Ross, second son of the King. Duke of Ross, Marquis of Ormond, Earl of Edirdale, otherwise called Ardmanach, Lord of Brechin and Navar. Rec. Parl. 325. Extinct in 1504.

29th January 1487-8. John Drummond of Cargill. Lord Drummond. Rec. Parl. 325. See 4th March 1605.

29th January 1487-8. Sir Robert de Crichton of Sanquhar. Lord Crichton of Sanquhar. Rec. Parl. 325. See 12th June 1633.

29th January 1487-8. John Hay of Yester. Lord Hay of Yester. Rec. Parl. 325. Limited to heirs male by charter of 29th May 1591. Mag. Sig. L. xxxviii. No. 382. See 1st December 1646.

29th January 1487-8. Sir William Ruthven of Ruthven. Lord Ruthven. Rec. Parl. 325. See 23d August 1581.

18th May 1488. David Lindsay, Earl of Crawford. Duke of Montrose, by royal charter of that date. Mag. Sig. L. x. No. 68. Annulled by act of parliament, 6th October 1488, rescinding all grants of dignities since 2d February 1487-8. Restored to the title of Duke of Montrose for his life only, 14th September 1489. Extinct at his death, when the earldom of Crawford went to his son.

28th May 1488. Alexander Cunningham, Lord Kilmaurs. Earl of Glencairn. Killed at Bannockburn, 11th June 1488. Title annulled in pursuance of the act of parliament, 6th October 1488, already mentioned. Restored 1511. Letter under the great seal, 21st July 1637, ratifying the original patent of the earldom to William, Earl of Glencairn, his heirs and successors. Mag. Sig. L. lv. No. 384. Dormant since 1796.

KING JAMES IV.

From 11th June 1488, *to 9th September* 1513.

Before 7th October 1488. John Stewart, Lord Derneley. Earl of Levenax or Lennox. Johannes, Comes de Levenax, sat in parliament that day. Rec. Parl. 329. Devolved on King James VI. 1571. See 18th April 1572.

17th October 1488. Patrick Hepburn, Lord Hales. Earl of Bothwell, by solemn investiture in parliament. Rec. Parl. 336, 339. See 12th May 1467.

26th January 1488-9. Sir Henry Sinclair. Lord Sinclair. Rec. Parl. 347. Patent dated 1st June 1677, with the former precedency, to Henry St Clair, son of John St Clair, fiar of Herdmanstoun, and the heirs male of his body; which failing, to John St Clair his brother, Robert St Clair and George St Clair, brothers of John St Clair fiar of Herdmanstoun, and the heirs male of their bodies respectively; which failing, to the nearest lawful heirs male of the said Henry St Clair. Mag. Sig. L. lxvi. No. 81. 1489-1500.

28th April 1491. Sir James Ogilvy of Airly. Lord Ogilvy of Airly. Rec. Parl. 371. See 2d April 1639.

Before 7th February 1491-2. Herbert Herries of Terregles. Lord Herries of Terregles. Sat in parliament as such that day. Rec. Parl. 372. Merged in the earldom of Nithsdale, 1667.

Before 12th March 1494-5. Sir John Sempill. Lord Sempill. So designed in a charter of that date. Charter of the family estates, cum stilo honore ordine et dignitate Domini Sempill, 16th May 1688, Dominæ Annæ Sempill, Dominæ Sempill, et Francisco Domino Glasfoord ejus marito, eorumque alteri diutius viventi in vitali reddita, et Francisco Magistro de Sempill, eorum filio natu maximo, et hæredibus masculis de ejus corpore legitime procreandis; quibus deficientibus Roberto Sempill, eorum filio natu secundo, et hæredibus masculis de ejus corpore procreandis; quibus deficientibus Joanni Sempill, eorum filio natu tertio, et hæredibus masculis de ejus corpore procreandis; quibus deficientibus Alexandro Sempill, eorum filio natu quarto, et hæredibus masculis de ejus corpore procreandis; quibus deficientibus aliis hæredibus masculis ex corpore dictæ Annæ Dominæ Sempill et Francisci Domini Glasfoord procreand. et hæredibus masculis ex eorum corporibus; quibus deficientibus, hæredibus femellis procreat. seu procreand. ex eorum corporibus; quibus deficientibus, hæredibus femellis ex corpore dicti Francisci Magistri de Sempill procreand. et hæredibus masculis ex eorum corporibus; quibus deficientibus hæredibus femellis ex corpore dicti Roberti Sempill procreandis, et hæredibus masculis ex eorum corporibus; quibus deficientibus, hæredibus femellis ex corpore dicti Joannis Sempill procreandis, et hæredibus masculis ex eorum corporibus; quibus deficientibus, hæredibus femellis ex corpore dicti Alexandri Sempill procreandis, et hæredibus masculis ex eorum corporibus; quibus deficientibus, hæredibus ex corpore dictæ Dominæ Annæ Sempill in aliquo alio maritagio procreand. et hæredibus femellis suorum corporum, senior omnium hæredum femellarum in omnibus casibus prædict. sine divisione succeden.; quibus deficientibus alicui personæ vel aliquibus personis quos dict. Domina Anna Sempill et Franciscus Dominus Glasfoord nominabunt et ordinabunt, in aliquo scripto sub eorum manibus, duran. eorum conjuncta vita duntaxat; quibus deficientibus dictæ Dominæ Annæ Sempill hæredibus et assignatis quibuscunque. Mag. Sig. Lib. 71. No. 88. R.

Before 4th February 1499-1500. Andrew

1501-1528. Stewart. Lord Avandale. So designed in a charter of that date. Mag. Sig. L. xiii. No. 403. Altered to Lord Ochiltree, 15th March 1542-3. Rec. Parl. 648. Alienated 1615. See 9th June 1615.

12th June 1501. James Stewart, natural son of the King. Earl of Moray, by royal charter of that date. Scintis nos pro paternali amore et cordiali favore quos habemus erga prædilectum filium nostrum Jacobum Stewart, inter nos et dilectam nostram Jonetam Kennedy, filiam Joannis, Domini Kennedy, procreatum, dedisse eidem Jacobo totas et integras nostras terras et comitatum Moraviæ, &c. Tenend. et habend. &c. prædicto Jacobo nostro filio et hæredibus masculis de corpore suo legitime procreandis, Comiti et Comitibus Moraviæ in futurum nuncupandis. Mag. Sig. L. xiii. No. 517. Extinct in 1544.

Before 30th July 1502. Sir John Ross of Halkhead, knight. Lord Ross. So designed in a charter of that date. Mag. Sig. L. xiii. No. 573. Extinct in 1754.

11th August 1503. James Hamilton, Lord Hamilton. Earl of Arran, to him and the heirs male of his body, by royal charter of that date. Mag. Sig. L. xiii. No. 592. See 17th April 1599.

3d March 1504-5. William Graham, Lord Graham. Earl of Montrose, by royal charter of that date. Mag. Sig. L. xiv. No. 121. See 6th May 1644.

Before 20th January 1507-8. Hugh Montgomery, Lord Montgomery. Earl of Eglintoun. So designed in an indenture of that date, in the possession of the Earl of Eglintoun. Charter 28th November 1611, to Hugh, fifth Earl of Eglintoun, and the heirs male of his body; which failing, to Sir Alexander Seton, second surviving son of Robert first Earl of Wintoun and his aunt Lady Margaret Montgomery, Thomas Seton, and John Seton, her third and fourth surviving sons, and the heirs male of their bodies respectively; which failing, to the nearest heirs male whatsoever of Hugh, fifth Earl of Eglintoun, bearing the name and arms of Montgomery. Mag. Sig. L. xlvii. No. 8. Devolved on the said Sir Alexander Seton in 1612.

Before 19th June 1510. Alexander Elphinston of Elphinston. Lord Elphinston. So designed in a charter to him of that date. Mag. Sig. L. xvi. No. 2.

Before 6th August 1510. David Kennedy, Lord Kennedy. Earl of Cassillis. So designed in an account of that date. Carmichael's Tracts, 8.

KING JAMES V.

From 9th September 1513, *to 14th December* 1542.

17th *July* 1528. Henry Stewart, husband of Margaret of England, Queen Dowager of Scotland, second son of Andrew, Lord Avandale. Lord Methven. Mag. Sig. L. xxii. No. 156. Extinct in his grandson. 1528-1552.

QUEEN MARY.

From 14th December 1542, *to 24th July* 1567.

30th January 1561-2. James Stewart, commendator of St Andrews and Pittenweem, natural son of King James V. Earl of Moray, when a charter of the earldom of Moray, Lordship of Abernethy and Strathern, which had belonged to James, Earl of Moray, natural son of King James IV., and had devolved on the crown on his decease, was granted to him et hæredibus masculis de corpore suo legitime procreandis; which failing, to return to the crown. He had a charter of the earldom of Marr, 7th February 1561-2, and was designed Earl of Marr, but soon resumed the title of Earl of Moray. Another charter of the earldom of Moray, 22d January 1563-4, to him et hæredibus masculis de corpore suo legitime procreatis seu procreandis; which failing, to return to the crown. Third charter of the earldom of Moray, 1st June 1566, to him and Agnes Keith his wife in conjunct fee, et hæredibus inter ipsos legitime procreatis seu procreandis, quibus deficientibus, legitimis et propinquioribus hæredibus seu assignatis dicti comitis quibuscunque. Charter of 22d January 1563-4, ratified in parliament, 19th April 1567. Rec. Parl. 756. Gift of the ward and marriage of Elisabeth and Margaret Stewarts, daughters of James, Earl of Moray, granted to James Stewart, son and apparent heir of Sir James Stewart of Doune, knight, by writ of privy seal, dated 5th January 1580-1. Privy seal record, xlvii. 63. James Stewart married Lady Elisabeth the eldest daughter, and assumed the title of Earl of Moray, as in the same volume of privy seal record, fol. 113, is a letter of a gift of escheat, dated 25th April 1581, to James, Earl of Moray, and Elisabeth Stewart his wife, and the longest liver of them two, their heirs and assignees. Charter of 1st June 1566, and all other charters and infeftments of the earldom of Moray, ratified by act of parliament, 5th June 1592. Procuratory of resignation of the earldom of Moray, &c. into the King's hands, for new infeftment thereof to us, and the airis maill laulie gottin or to be gottin of oure bodie; quhilkis failzeing, to Sir Francis Stewart our brother-germane, and the airis maill laulie to be gottin of his bodie; quhilkis failzeing, to us the said James Erle of Moray oure narrest and laull airis and assignayis quhatsumevir. Earldom of Moray and lordship of Doune accordingly resigned into the King's hands at Royston, 17th April 1611, and

1563-1578. of the same date, charter granted Jacobo Moraviæ Comiti Domino Abernethy et Doune, &c. et hæredibus masculis de corpore suo legitime procreatis seu procreandis; quibus deficientibus, Domino Francisco Steuart, suo fratri germano, et hæredibus masculis de corpore suo legitime procreandis; quibus deficientibus legitimis et propinquioribus hæredibus et assignatis dicti Jacobi Moraviæ Comitis quibuscunque hereditarie, totas et integras dominium et comitatum de Moray, &c. —Nos pro causis præscriptis ac etiam pro diversis aliis bonis causis et considerationibus nos movend. ex nostro authoritate regali, regia potestate, certa scientia, proprioque motu, univimus, annexavimus, ereximus, creavimus, et incorporavimus, tenoreque præsentis cartæ nostræ cum avisamento et consensu prædicto, unimus, annexamus, erigimus, creamus, et incorporamus omnes et singulas prædict. terras, comitatum, dominia, baronias, castra, turres, &c. in unum integrum et liberum comitatum, tunc et omni tempore futuro comitatum de Moray nuncupandum, &c. tenendas et habendas, &c. præfato Jacobo Moraviæ Comiti, suisque hæredibus masculis de corpore suo legitime procreatis seu procreandis, quibus deficientibus præfato Domino Francisco Steuart, suo fratri germano, et hæredibus masculis de corpore suo legitime procreandis; quibus deficientibus hæredibus masculis dicti Jacobi Moraviæ Comitis, et assignatis suis quibuscunque. Mag. Sig. L. xlvi. No. 381. Minutes of the Committee of Privileges, 1793.

24th January 1563-4. Sir James Sandilands, preceptor of the order of St John of Jerusalem in Scotland. Lord Torphichen, by royal charter to him and his heirs and assignees. Mag. Sig. L. xxxii. No. 182.

15th May 1565. Henry Stewart, Lord Derneley, eldest son of Matthew, Earl of Lennox. Earl of Ross. Mag. Sig. L. xxxii. No. 431. and 20th July 1565. Duke of Albany, to him and the heirs male of his body. Ib. No. 458. Married to Queen Mary 29th July 1565. Merged in King James VI. 1567.

12th May 1567. James Hepburn, Earl of Bothwell. Duke of Orkney, and Marquis of Fife. Married to Queen Mary, 15th May 1567. Forfeited 29th December 1567.

KING JAMES VI.

From 24th July 1567 to 27th March 1625.

18th April 1572. Charles Stuart, uncle of the King. Earl of Lennox, to him and his heirs male. A. Stuart, 250. Mag. Sig. L. xxxiii. No. 108. Reverted to the King on his death in 1576 without male issue.

16th June 1578. Robert Stuart, bishop of Caithness, grand-uncle of the King. Earl of Lennox, to him and the heirs male of his body. A. Stuart, 250. Mag. Sig. L. xxxv. No. 8. See next article. 1578-1581.

5th March 1579-80. Robert Stuart, Earl of Lennox. Earl of March, and Lord of Dunbar, on his giving up the earldom of Lennox. Privy Seal, xlvi. 95. confirmed by royal charter of 5th October 1582. Extinct in 1586.

5th March 1579-80. Esme Stuart of Aubigny, cousin of the King. Earl of Lennox, Lord Darneley, Aubigny, and Dalkeith, to him et hæredibus suis masculis de corpore suo legitime, procreatis seu procreandis, which failing to return to the King. Mag. Sig. L. xxxv. No. 150. See 5th August 1581.

16th June 1581. Francis Stewart, commendator of Kelso. Earl of Bothwell, and Lord Hales. Mag. Sig. L. xxxv. No. 365. Forfeited in him.

5th August 1581. Esme Stuart, Earl of Lennox. Duke of Lennox, Earl of Derneley, Lord of Aubigny, Torboltoun and Dalkeith, to him and the heirs male of his body, which failing, to return to the King. Extinct 1672.

23d August 1581. William Ruthven, Lord Ruthven and Dirleton. Earl of Gowrie. Forfeited 1584, restored 1586. Ratified by act of Parliament to John, Earl of Gowrie, Lord Ruthven, and Dirletoun, his heirs and assignees, 1592. Forfeited 1600.

28th October 1581. Robert Stewart, natural son of King James V. Earl of Orkney, and Lord of Zetland, by act of Parliament erecting and creating the tenandry and lordship of the lands of Orkney and Zetland, into an earldom and lordship, to wit, the lands of Orkney to be called the earldom of Orkney, and the lands of Zetland to be called the lordship of Zetland, and ordaining the said Lord Robert Stewart, his heirs and successors, to be called in all time hereafter Earls of Orkney and Lords of Zetland, giving and granting to them the title, honour, place, and preheminence of an earl and lord in all Parliaments, &c. See also Mag. Sig. L. xxxv. No. 494. Forfeited in 1614.

28th October 1581. Captain James Stewart, second son of Andrew, Lord Ochiltree. Earl of Arran, Lord of Avane and Hamilton, to him and his heirs male. Mag. Sig. L. xxxv. No. 454. Deprived in 1585, when these titles were restored to the Hamilton family.

29th October 1581. John Maxwell, Lord Maxwell. Earl of Morton, by royal charter of that date, ratified by Parliament, 19th November 1581. Mag. Sig. L. xxxv. No. 461. The attainder of the Earl of Morton, Regent of Scotland, being reversed, 29th January 1585-6, Lord Maxwell was deprived of the title of Earl of Morton, which went to the heir of entail. See 20th August 1620.

1581-1584. 24th November 1581. Sir James Stewart of Doune, third son of Andrew, Lord Avandale. Lord Doune. An act of Parliament bears that the king understanding that Queen Mary gave and granted to Sir James Stewart of Doune, knight, his heirs and successors specified in the charter and infeftment of all and sundry the lands, &c. which charter and infeftment the King with the advice of Parliament ratifies and approves. Moreover, the King having respect that the said Sir James is descendit of his own blude, and being of gude will and mind, that he be promovit to sic honour and dignity as he has mereit, erects, creates, unites, and incorporates, all and sundry the foresaid lands, &c. in an lordship to be called in all time hereafter the lordship of Doune, decerning and ordaining the said Sir James, his heirs and successors, specified in the said infeftment, in all times coming, to be called and intitulat Lords of Doune, quha shall have the honour, dignity, place, and prehemineence of our sovereign lords parliament, &c. According to the Lovat case, the charter therein referred to, was one of the barony of Doune, 23d May 1565, to him and Lady Margaret Campbell, his wife, and the heirs male procreated betwixt them, which failing to his heirs male whatsoever. Charter 6th January 1587-8, confirmed by act of Parliament, 5th June 1592, of this tenor: Dedisse, &c. prædilecto nostro consanguineo Jacobo Domino de Doune, et Dominæ Margaretæ Campbell, suæ sponsæ, eorumque alteri diutius viventi in conjuncta infeodatione, et hæredibus masculis inter ipsos legitime procreates seu procreandis, quibus deficien. hæredibus masculis dicti Jacobi Domini de Doune quibuscunque, cognomen et arma de Stewart gerem. totas et integras terras de Wester Argathie, &c. Præterea nos, &c. de novo erigimus, &c. omnes et singulas præfatas terras, &c. in unum integrum liberum dominium et baroniam, dominium de Doune, omni tempore affuturo nuncupand. dando et concedendo, præfato nro prædilecto consanguineo ut prius, suisque hæredibus masculis præscriptis, titulum honorem et statum unius liberi baronis et domini nostri parliamenti, &c. Minutes of the Committee of Privileges, 1793. Merged in the earldom of Moray, 1590.

15th March 1583-4. Sir Andrew Keith. Lord Dingwall. Act of Parliament 1584, ratifying the charter granted by the King to Sir Andrew Keith, of the castle and lands of Dingwall, and erecting the same into a temporal lordship, called the lordship of Dingwall, with the title of Lord Dingwall. Charter on his resignation, dated 24th November 1591, Andreæ, Domino Dingwall, suisque hæredibus masculis et assignatis quibuscunque, Dominium et baroniam de Dingwall, comprehenden. terras, &c. cetle novo unimus creamus et incorporamus prædict. terras, &c. in unum liberum dominium et baroniam præfat. Andreæ Domino Dingwall, suisque hæredibus masculis et assignatis prædictis nunc vocat. et omnibus temporis affuturis nuncupand Dominium de Dingwall, &c. with the honour, dignity, and prehemineence of a lord of Parliament, &c. Mag. Sig. L. xxxviii. No. 113. Appears to have been assigned to Sir William Keith of Delney, who had a charter of the same, 22d January 1592-3. Mag. Sig. L. xxxix. No. 48. Appears to have been alienated to John, Lord Balmerinoch, who, by vendition dated 26th February 1609, sold the same to Sir Richard Preston. See 8th June 1609. 1584-1598.

28th July 1587. Mark Ker, commendator of Newbottle. Lord Newbottle, to him and his heirs male and assignees. Mag. Sig. L. xxxvii. No. 92. See 10th July 1606.

29th July 1587. Lord Claud Hamilton, fourth son of James, Duke of Chatelherault. Lord of Paisley, by charter burgi baroniæ et regalitatis de Paisley, in dominium de Paisley unit. cum titulo baronis parliamenti. Mag. Sig. L. xxxvii. No. 423. Merged in the earldom of Abercorn 1621.

29th July 1587. Hon. Robert Keith, commendator of Deer, second son of William, fourth Earl Marischal. Lord Altrie, by royal charter of that date, granting the lands belonging to the monastery of Deer to him in liferent, and to George, Earl Marischal, his heirs male and assignees, in fee and heritage, erecting the same into a temporal lordship, with the title and denomination of Lord Altrie, Dando et concedendo præfato Roberto pro omnibus suæ vitæ diebus tantum modo, ac dicto Georgio Marescalli Comiti suisque hæredibus masculis et assignatis prædict. omni tempore futuro, titulum honorem et statum unius liberi baronis et domini nostri parliamenti ratione præfatarum terrarum, &c. Mag. Sig. L. xxxvi. No. 406. Merged in the earldom of Marischal.

6th May 1590. Sir Alexander Lindsay, vice-chamberlain to the King. Lord Spynie, to him and his heirs and assignees in fee and heritage. Mag. Sig. L. xxxvii. No. 415. New charter of the title and estates 17th April 1593, to him and Jean Countess of Angus his wife, and the longest liver of them in conjunct fee, and the heirs procreated betwixt them, which failing to his nearest lawful heirs male whatsoever, and his assignees heritably. Charter of the lordship of Spynie, de novo unit. with the title, 16th July 1621. Mag. Sig. L. l. No. 71. Extinct in 1672.

18th May 1590. Sir John Maitland of Leithington. Lord Maitland of Thirlestane, to him and the heirs male of his body. See 2d April 1616.

6th April 1593. Ludovick, Duke of Lennox. Lord of St Andrews, to him and the heirs male of his body, which failing to Esme Stuart, his brother-german, and the heirs male of his body, which failing to return to the crown. Mag. Sig. L. xxxix. No. 232.

4th March 1597-8. Alexander Seton, Presi-

1595. dent of the Court of Session, third son of George, sixth Lord Seton. Lord Fyvie, to him and the heirs male of his body, which failing, to Sir John Seton of Barns, his immediate elder brother, and the heirs male of his body. Mag. Sig. L. xli. No. 250. See 4th March 1605.

6th March 1595-6, (omitted to be inserted before the preceding article.) John Stewart, Lord Innermeath. Earl of Atholl, by royal charter to this effect: Nos intelligentes quod totæ et integræ terræ et Comitatus de Atholc, aliaque subtus script. quæ perprius Joanni Atholiæ Comiti, proxime defuncto, et suis prædecessoribus, hæreditarie pertinuerunt, nunc in manibus nostris, per decessum dicti quondam Joannis Atholiæ Comitis, et suorum prædecessorum, absque hærede vel hæredibus masculis nunc superstitibus legitime de eorum corpore procreatis, devenerunt; ex quo, et speciales provisiones talliæ contentas in antiquis cartis et infeofamentis, per nostros progenitores prædecessoribus dicto quondam Joannis Atholiæ Comitis de prædict. comitatu, terris, et aliis subsequend. factis et concessis eidem, libere reversæ sunt, et nunc nobis pertinent, et in manibus nostris, et ad nostram dispositionem, devenerunt. Nos tamen memoriæ repetentes et intelligentes, valde perutile et expediens nobis et successoribus nostris, ac reipublicæ nostri regni fore, ut domus et familia dicti Comitatus de Athole, remaneat et continuetur, et alius ver nobilis ejusdem cognominis et sanguinis, eodem statu et loco dignus, eidem provideatur, unde nos, et successores nostri, nullo tempore affuturo, ejusdem honorabili et maxime egregio servitio nobis et successoribus nostris, per Atholiæ pro tempore Comites, tam infra regnum nostrum quam in exteris nationibus, præstito et impenso destituamur; ac etiam certam cognitionem habentes Joannem nunc Dominium de Innermeath, virum nobilem antiquissimæ familiæ et cognominis de Stewart, et dictum quondam Atholiæ Comitem et suos prædecessores, proxime sanguine attingentem, et maxime idoneum hujusmodi notabile et honorabile servitium nobis et successoribus nostris, præstandum et supplendum; ideo, ac pro bono fideli et gratuito servitio nobis nostrisque prædecessoribus, per dictum Joannem Dominum de Innermeath, suosque prædecessoribus præstito et impenso, &c. dedimus, &c. dicto Joanni Domino de Innermeath, suisque hæredibus masculis de corpore suo legitime procreatis seu procreandis, quibus deficien. nobis, nostrisque successoribus, libere reverten. totum et integrum Comitatum de Athole, ac omnes et singulas terras ejusdem Comitatus, cum suis pertinen. &c. which his Majesty of new erects in unum liberum Comitatum dominium et baroniam præfato Joanni Domino de Innermeath, suisque hæredibus masculis prædictis, comitatum de Athole, omni tempore affuturo nuncupand. dando et concedendo præfato Joanni Domino de Innermeath, suisque hæredibus masculis prædictis, omni tempore affuturo, titulum nomen honorem gradum et statum Comitis, in posterum Comitis Atholiæ nuncupand. Seth. Add. Case, vi. 105. Reverted to the crown in 1625. 1599-1601.

17th April 1599. George Gordon, Earl of Huntly. Marquis of Huntly. See 1st November 1684.

17th April 1599. Lord John Hamilton, commendator of Aberbrothwick, second son of James, Duke of Chatelherault. Marquis of Hamilton. See 12th April 1643.

About 1599. Sir Robert Ker of Cessford. Lord Roxburghe. See 18th September 1616.

31st March 1600. Patrick Leslie, son of Patrick, Commendator of Lindores. Lord of Lindores, to him hæredibusque suis masculis quibuscunque, eorumque assignatis hereditarie. Mag. Sig. L. xlii. No. 189.

15th November (or 25th December,) 1600. Alexander Livingston, Lord Livingston. Earl of Linlithgow. Limitations unknown. Forfeited in 1715.

16th November 1600. Robert Seton, Lord Seton. Earl of Wintoun, Lord Seton and Tranent, to him and his heirs male. Mag. Sig. L. xliv. No. 136. New charter 31st July 1686, to George, Earl of Wintoun, et hæredibus masculis de suo corpore legitime procreandis, quibus deficien. cuicunque personæ vel personis quos dictus Comes de Wintoun designabit et nominabit, per literam manu sua subscript. ullo tempore vitæ suæ etiam in articulo mortis, et hæredibus masculis ex eorum corporibus, idque sub et cum onere conditionum et provisionum in dict. nominatione continend. qui personæ ita per illum nominand. præstare et implere tenebuntur, quibus deficien. et si *ille* non subscripserit talem nominationem vel eand. subscriptam revocabit vel cancellabit, tunc in eo casu hæredibus suis masculis; quibus omnibus deficien. propinquioribus hæredibus suis et assignatis quibuscunque, hærede femella natu maxima succeden. sine divisione; totum et integrum comitatum de Wintoun, una cum titulo honoris et dignitatis Comitis de Wintoun, &c. Mag. Sig. L. lxxi. No. 94. Forfeited in 1715.

23d December 1600. Charles Stewart, second son of the King. Duke of Albany, Earl of Ross, and Lord Ardmanach. Succeeded to the throne 1625.

2d February 1601. Sir Edward Bruce, commendator of Kinloss. Lord Kinloss, to him and his heirs and assigns, by royal charter erecting the lands of Kinloss into a lordship and barony, with the title of a free baron, and lord of Parliament. Mag. Sig. L. xliv. No. 6. Lord Kinloss, however, was ranked after Lords Loudoun and Dirletoun, and before Lord Abercorn, in the decreet 1606. See 21st June 1633.

30th June 1601. Sir Hugh Campbell of Loudoun. Lord Campbell of Loudoun. See 12th May 1633.

1602-1604.

2d May 1602. Robert Stewart, third son of the King. Duke of Kintyre, Marquis of Wigton. Earl of Carrick, and Lord Annerdaill. Extinct the same year.

About 1603. Sir Thomas Erskine of Gogar. Lord Dirletoun. Lord Dirletoun appears in the decreet of ranking of the nobility of Scotland, after Lord Loudoun, and before Lord Kinloss. See 18th March 1606.

20th February 1603. Sir James Elphinston of Barntoun, third son of Robert, third Lord Elphinston. Lord Balmerinoch, to him and his heirs male, and of tailzie and provision, contained in his infeftment of the lands of Barntoun. Mag. Sig. L. xliv. No. 1. Ratified by act of Parliament 1606. Forfeited in 1746.

5th April 1603. James Hamilton, eldest son of Lord Paisley. Baron of Abercorn, to him and his heirs male and assignees whatsoever. See 10th July 1606. Mag. Sig. L. xliii. No. 333.

27th March 1604. John Erskine, Earl of Marr. Lord Cardross, by royal charter, confirmed by act of Parliament 1606, dissolving the lands belonging to the priory of Inchmahomo, and abbeys of Dryburgh and Cambuskenneth, from the act of annexation, and incorporating the same into a lordship and barony, to be called the barony of Cardross, and giving to the Earl, and the heirs and successors that shall happen to be provided by him to the said lordship and barony of Cardross, the honour, estate, dignity, and preheminence of a lord of Parliament, to be called Lord of Cardross in all time coming, &c. And hereupon his Majesty and estates of parliament, ordain a charter to be made, granted, and expede to the Earl, his heirs male and assignees foresaid, or to any others whom he shall nominate and think expedient, to be extended in due form, &c. Charters of 10th June 1610, and 10th April 1615, erecting these lands into a free and temporal lordship and barony, and constituting the said John, Earl of Marr, and his heirs male and assignees, and successors, in the said lands liberos dominos et barones ejusdem, cum plena potestate in omnibus nostris parliamentis assedere et votum et suffragrum habere. Mag. Sig. L. xlvi. No. 262. L. xlvii. No. 490. L. xlviii. No. 411. Assigned by the Earl to his third son Henry Erskine, by a charter of 30th January 1617, reserving his own liferent, and ratified by royal charter of 13th March 1617. Mag. Sig. L. xlviii. No. 394. On the death of the Earl in 1634, the title of Lord Cardross devolved on his grandson, David Erskine, son of Henry Erskine, his assignee. New charter of the lordship of Cardross, to the said David Erskine, 10th February 1664, granting the same Davido Domino de Cardross, et hæredibus masculis de corpore suo legitime procreatis seu procreandis, cum et sub expressis conditionibus, provisionibus, reservationibus et limitationibus continend. in aliquo scripto per dictum Davidem Dominum de Cardross, quocunque tempore vitæ suæ, etiam in articulo mortis, subscriben. quæ nos declaramus fore tam sufficientes obligare dictos hæredes masculos ad præstandas dictas conditiones, ac si eædem ad longum in dicta carta nostra exprimerentur, et super quibus conditionibus dict. hæredes masculi habebunt jus ad titulum et dignitatem Dominii de Cardross, et ad feodum dict. terrarum, quibus deficien. alicui tali personæ seu aliquibus personis quas placuerit dicto Domino de Cardross designare, nominare, et statuere, per nominationem et designationem per illum ut dictum est subscribend. quocunque tempore vitæ suæ etiam in articulo mortis, ac sub expressis conditionibus, provisionibus, reservationibus, et limitationibus inibi continend. quibus omnibus deficien. Davidis Domini Cardross propinquioribus et legitimus hæredibus et assignatis quibuscunque. Mag. Sig. L. lxii. No. 9. This charter, at Vol. I. p. 273, copied from Grose's Antiquities, contains several errors here rectified.

25th April 1604. Sir John Murray of Tullibardine. Lord Murray of Tullibardine. See 10th July 1606.

25th April 1604. Sir James Colvill of Culross. Lord Colvill of Culross. Carmichael's Tracts, 28. Charter 20th January 1609, of the title and estates to him and the heirs male of his body, which failing, to his nearest legitimate heirs male whatsoever, bearing the name and arms of Colvill. Mag. Sig. L. xlvi. No. 201. Ranks from the latter date, by order of the House of Lords, of 27th May 1723.

1604-1605.

4th March 1605, (not 1604 as at Vol. I. p. 741). Alexander Home, Lord Home. Earl of Home, and Lord Dunglass. New charter 22d May 1636, to James, third Earl of Home, and his heirs male. Mag. Sig. L. lv. No. 155.

4th March 1605. James Drummond, Lord Drummond. Earl of Perth, to him and his heirs male whatsoever. Dormant since 1716.

4th March 1605. Alexander Seton, Lord Fyvie, high chancellor of Scotland. Earl of Dunfermline, to him and his heirs male. Mag. Sig. L. xliv. No. 203. Forfeited 1690.

7th April 1605. Sir David Murray of Gospertie. Lord Scone. Charters 18th August 1608, to him and the heirs male of his body, which failing, to Andrew Murray of Balvaird, and the heirs male of his body; and 14th October 1616, to him and the heirs male of his body, which failing to Sir Andrew Murray of Balvaird, Sir Mungo Murray of Drumcairne, Sir John Murray of Lochmaben, Gilbert Murray, eldest son of David Murray of Balgony, Andrew Murray, second son of the said David, William Murray, son of Sir Mungo Murray of Cleremontb, and the heirs male of their bodies respectively; which all failing, legitimis et propinquioribus hæredibus masculis præfati Davidis Domini de Scone quibuscunque hereditarie, cognomen et insignia de Murray familiæ de Balvaird, gerentibus. Original charter in the possession of

1604-1606. the Earl of Mansfield. Mag. Sig. L. xlv. No. 234. See 16th August 1621.

3d July 1605. George Home, Lord Home of Berwick in England. Earl of Dunbar, by patent dated at Windsor, to him et hæredes suos masculos. Mag. Sig. L. liv. No. 142. Dormant since 1611.

16th March 1606. Sir Walter Scott of Buccleuch. Lord Scott of Buccleuch. See 16th March 1619.

18th March, (not May, as at Vol. II. p. 17 and 22.) 1606. Thomas Erskine, Lord Dirletoun. Viscount of Fentoun, being the first appearance of that dignity in Scotland, to him and the heirs male of his body, which failing, to his heirs male whatsoever, for ever. Mag. Sig. L. xliv. No. 230. See 12th March 1619.

19th March 1606. John Fleming, Lord Fleming. Earl of Wigtoun, Lord Fleming and Cumbernauld, to him and the heirs male of his body. Robertson's Proceedings, 304. Dormant or Extinct.

11th June 1606. Sir John Ramsay, knight. Viscount of Haddington, and Lord Ramsay of Barns. Extinct in 1625. See 28th August 1609.

10th July 1606. Patrick Lyon, Lord Glamis. Earl of Kinghorn, Lord Lyon and Glamis. Charter 30th May 1672, granting to Patrick Earl of Kinghorne, Lord Lyon and Glames, et hæredibus masculis de corpore suo legitime procreat. seu procreand. quibus deficien. alicui personæ seu personis aliquo tempore duran. sua vita etiam in articulo mortis hæredes talliæ honori, titulo, et dignitati prædictis nominare et designare sibi placuerit, secundum nominationem aut designationem manu sua subscribendam, et sub talibus provisionibus, conditionibus, et restrictionibus, in eadem designatione continen. sibi expediens videbitur, quibus hæredibus talliæ sic designandis deficien. vel si dicto Comiti duran. suo tempore talem designationem facere non placuerit, in alter utro quorum casuum hæredibus suis masculis quibuscunque, quibus deficien. hæredibus et assignatis suis quibuscunque hereditarie, dicti Comitis honorem titulum et dignitatem Comites de Kinghorne, Domini Lyon et Glames, cum omnibus et singulis præcedentiis, &c. Mag. Sig. L. lxiv. No. 3. R. Charter 1st July 1677, declaring and ordaining that Patrick, Earl of Kinghorn, ejusque hæredes masculos et talliæ sibi succeden. in ejus terris prædiis et statu, should be designed, in all future ages, Earls of Strathmore and Kinghorn, Viscounts Lyon, Lords Glamis, Tannadyce, Sydlaw, and Stradichtie Mag. Sig. L. lxvi. No. 79.

10th July 1606. James Hamilton, Lord Abercorn. Earl of Abercorn, Lord Paisley, Hamilton, Mountcastell, and Kilpatrick, to him and his heirs male whatsoever.

10th July 1606. John Murray, Lord Murray of Tullibardine. Earl of Tullibardine. Resigned by his son William, Earl of Tullibardine. See 30th January 1628. 1606-1608.

10th July, (not February as at Vol. II. p. 131 and 145,) 1606. Mark Ker, Lord Newbottle. Earl of Lothian, to him et hæredes suos masculos. Mag. Sig. L. xliv. No 182. His son, Robert, Earl of Lothian, resigned the title into the hands of King James VI., who by charter under the great seal following thereon, confirmed his entail, and provided his estate and title failing heirs male of his body, in favour of his eldest heir female without division. After the death of Robert, Earl of Lothian, his brother, Sir William Ker of Blackhope, took the title, but was prohibited from using or assuming it, and the King's advocate was ordered to prosecute him for taking it on him, by act of council of 8th March 1632. That charter to Robert, Earl of Lothian, and the heirs male of his body, which failing, ejus hæredi femellæ natu maxime absque divisione, ratified by charter under the great seal, 23d October 1678, and by the same charter, Robert, fourth Earl of Lothian, and the heirs male of his body, created Earls of Lothian, with the original precedency. Mag. Sig. L. lxvi. No. 158. See 23d June 1701.

10th July 1606. Walter Stewart, prior of Blantyre. Lord Blantyre. Carmichael's Tracts, 28.

6th August 1606. Sir Michael Balfour of Burleigh. Lord Balfour of Burleigh. Sibbald's Fife, 279. In Carmichael's Tracts, 28, it is stated, that he was so created 16th July 1607, without any mention of heirs in his patent of creation. Forfeited in 1715.

19th July 1607. Sir Alexander Stewart of Garlies. Lord of Garlies, by patent dated at Whitehall, to him and the heirs male of his body succeeding to the estate of Garlies. Mag. Sig. L. xlv. No. 104. See 9th September 1623.

10th August 1607. John Stewart, second son of Robert, Earl of Orkney. Lord Kincleven. See 22d July 1628.

20th December 1607. Hon. James Elphinston, second son of Lord Balmerinoch. Lord Coupar, to him and the heirs male of his body, which failing, to his father and his heirs male, and of entail, contained in his infeftment of the barony of Balumby. Mag. Sig. L. xlv. No. 187. Robertson's Proceedings, 227. Authorised by act of Parliament 1606. Devolved on Lord Balmerinoch 1669, and was forfeited 1746.

20th December 1607. John Bothwell, a lord of session. Lord of Holyroodhouse, to him and the heirs male of his body, which failing, to the heirs male of Adam Bishop of Orkney, his father, which failing to his heirs and assignees whatsoever. Mag. Sig. L. xlv. No. 311. Robertson's Proceedings, 149. Dormant since 1655.

5th May 1608. James Hamilton, Marquis of Hamilton. Lord of Aberbrothwick, to him, his

1609-1615. heirs and successors. Mag. Sig. L. xlv. No. 227. Authorised by act of Parliament 1606.

26th January 1609. Frederick Stewart. Lord Pittenweem, to him and his heirs and assignees whatsoever. Mag. Sig. L. xlvi. No.20. Authorised by act of parliament 1606. Not claimed since his death.

31st January 1609. James Drummond, second son of David, Lord Drummond. Lord Maderty, to him and the heirs male of his body. Merged in the title of Viscount of Strathallan 1711, and forfeited 1746.

6th April 1609. Sir James Douglas of Parkhead. Lord Carlyle of Torthorwald. Charter of that date, uniting the barony of Carlyle, &c. into the lordship of Torthorwald. Mag. Sig. L. xlv. No. 283.

8th June 1609. Sir Richard Preston, knight. Lord Dingwall, to him and his heirs and assignees whatsoever. Mag. Sig. L. xlv. No. 377. Forfeited by the attainder of James, Duke of Ormond, 1715.

28th August 1609. John Ramsay, Viscount of Haddington. Lord of Melrose. See 25th August 1615.

17th November 1609. Sir William Cranstoun, knight. Lord Cranstoun, by patent to him and his heirs male, bearing the name and arms of Cranstoun.

19th November 1609. Kenneth Mackenzie of Kintail. Lord Mackenzie of Kintail. See 3d December 1623.

7th March 1611. Henry Stewart, second son of James, Lord Doune. Lord St Colme, to him and his heirs male and assignees whatsoever. Mag. Sig. L. xlvi. No. 333. Merged in the earldom of Moray.

1613. Sir Thomas Hamilton, knight, secretary of state and lord clerk register. Lord Binning and Byres. See 20th March 1619.

17th September 1614. Michael Balfour, Lord Balfour of Burleigh. Lord Kilwinning, to him and his heirs and assignees whatsoever. Mag. Sig. L. xlvii. No. 374. Forfeited in 1715. Qu.?

9th June 1615. Sir James Stewart of Killeith. Lord Ochiltree, to him et hæredibus suis masculis geren. et observan. nomen et arma de Stewart ex familia de Uchiltrie, by royal charter, granting to him omnes et singulas terras dominium et baroniam de Uchiltrie, &c. cum omnibus honoribus, titulis, dignitatibus, styles, prærogativis, immunitatibus, privilegiis, et libertatibus ad idem dominium spectan. which lands, &c. had belonged hereditarily to Andrew, Lord Stewart of Uchiltrie, and had been resigned by him. Mag. Sig. L. xlvii. No. 470. L. l. No. 48. Extinct 1675.

25th August 1615. John Ramsay, Viscount of Haddington, and Lord of Melrose. Lord Ramsay of Melrose, to him and his heirs male and assignees whatsoever. Mag. Sig. L. xlix. No. 203. Assigned to his brother Sir George Ramsay of Dalhousie. See 25th August 1618. 1616.

2d April 1616. John Maitland, Lord Maitland of Thirlestane. Viscount of Lauderdale, by patent dated at Whitehall, to him and his heirs male and successors in the lordship of Thirlestane. Mag. Sig. L. xlviii. No. 134. See 14th March 1624.

14th April 1616. Sir David Carnegy of Kinnaird, knight. Lord Carnegy of Kinnaird, to him and hæredes suos masculos cognomen et insignia de Carnegy gerentibus. Mag. Sig. L. xlviii. No. 85.

30th April 1616. Sir Robert Melville of Murdocarny. Lord Melville of Monymaill, to the first Lord, and the heirs male of his body; which failing, to the heirs male of the body of his elder brother John, &c. New patent or charter dated at Bagshot, 10th August 1627, to Robert, second Lord Melville, and Jean Hamilton, Lady Ross, his wife, and the heirs procreated, or to be procreated betwixt them; which failing, to the heirs whatsoever of his body; which failing, to his heirs male, general, or of conquest, or either of them, bearing the name and arms of Melville, as it should please him to designate at any time during his life, and his assignees whatsoever. Mag. Sig. L. lii. No. 19. See 8th April 1690.

18th September 1616. Robert Ker, Lord Roxburghe. Earl of Roxburghe, Lord Ker of Cessford and Cavertoun, to him, suisque hæredibus masculis. Procuratory of resignation of the titles executed by him, 17th July 1643, for new infeftment to him "and to the airis maill lawfullie "to be gotten of our bodie; quikis failzing, to our "airis or assignayis, in our optioun, to be designit, "nominat, maid, and constitute be us at ony time "in our lifetime, or before our decease, be assigna-"tioun, designatioun, or declaratioun under our "hand writ, and under the provisiouns, restric-"tiouns, limitatiouns, and conditiouns thairin to "be contained, and na uthairwayis." Nomination executed, 22d March 1644, of the heirs to succeed to him, but it being defective, he obtained a new charter under the great seal of his dignities and estates, 31st July 1646, proceeding on the procuratory of 1643, and containing a clause of novodamus, to Robert, Earl of Roxburghe, ac hæredibus masculis de corpore suo legitime procreatis seu procreandis, quibus deficientibus, hæredibus suis et assignatis quibuscunque, in sua optione designandis, nominandis, faciendis, et constituendis per ipsum quocunque tempore vitæ suæ, seu ante ejus decessum, per assignationem, designationem, nominationem, seu declarationem sub sua subscriptione, ac sub provisionibus, restrictionibus, limitationibus, et conditionibus in dict. nominatione vel designatione continen. &c. Nomination executed 23d February 1648, constitut-

1616. ing (failzeing of airis maill lawfully to be gottin of our awin bodie) Sir William Drummond, youngest son of John, Earl of Perth, and the airis mails lawfully to be gottin of his body with his spouse after mentionat, to be heir of tailzie, and successor to us in the said earldom, &c. qlks failzing, or in case the said Sir William Drummond, or the saidis airis maill of his body sall failzie to observe the provisiounes, restrictiounes, and conditiounes after specified, in ather of the saidis caises, we nominate, declare, and constitute Robert Fleyming, second lawful sone to Lord John Fleyming and Dame Jean Drummond his lady, and the airis maill of his body, to be gottin with his spouse after nominate, to be air of tailzie and successor to us in the said earldom, &c. and, failing of them, he proceeds in the same manner to call the other younger sons of the said John, Lord Fleyming, and his said lady, and their issue male by their spouses therein after nominated, under the express provisiounes, restrictiounes, and conditiounes after specified, viz. that in caise it sall happen, the saids persones nominat be us, or onie of them quha sall have right to succeed for the time, to be married upon ony other spouse than the spouse hereby nominate be us in manner after mentionat, in that caise the persoun or persouns sua to be married, and the airis maill of his body, is, and shall be excludit from the said tailzie and succession, and sall have na right thereto without ony declarator or process of law to be suted or cravit thereanent; and als providing, that the said Sir William Drummond, and, failzeing of him by decease, or in caise of his marriage, or not observing of the conditiounes above and after mentionat, the next person havand right for the time to succeed as said is, sall marry and take to their lawful spouse Lady Jean Ker, eldest lawful dochter to umql Hary, Lord Ker, our sone, they being baith marriageable for the time, in qlk caise, or that person having right to succeed for the time, sall be halden to marry the said Lady Jeane Ker, before he be servit and retoured air of tailzie to us, and in caise they be not baith marriageable, in that caise it shall be lawful to the said Sir William, or our next succeeding air, to obtain himself servit, retourit, and infeft as air of tailzie foresaid, bot withal sall be halden astricted and obleist to marry the said Lady Jeane Ker, qn they sall be marriageable thereafter; and failzeing of hir by decease before marriage, or that the said Lady Jeane Ker be unwilling or refuis to marry, or be married to ony other spouse: In ather of the saids caises, the said person quha sall have right to succeed for the time, sall be halden and obleist to marry and tak to his spouse Lady Anna Ker, second lawful dochter to the said umql Hary, Lord Ker, qn they sall be marriageable; and failzeing of her be decease, or that the said Lady Anna Ker be unwilling, or refuis to marry or be married to onie other spouse, in ather of these caises the said person quha sall have right to succeed for the time, sall be halden to marry Lady Margaret Ker, third lawful dochter to the said umql. Hary, Lord Ker, our sone; and failzeing of hir be decease, or in caise she refuis, or sall happen to be married to onie other spouse, he sall be halden to marry Lady Sophia Ker, youngest lawful dochter to the said Hary, Lord Ker, our sone, &c. 1616-1618.

After this substitution are introduced the other conditions and prohibitions used in entails, and, what was wanting in the former deed of nomination, an irritant clause in these words: And in caise it sall happen the foresaids persouns and airis of tailzie respective above written, to failzie in observing, keeping, and fulfilling of the haill provisiounes, restrictiounes, and conditiounes respective above rehearsit, and every one of them, in form and manner as is particularly before set down, in that caise, the person or air of tailzie, sua failzeand, and doing in the contrair, and the airis maill of his body, sall amit, lose, and tyne, in all time thereafter, the foresaids erledome, titill, dignity, lands, &c. above specified, and all benefit and right of succession thairto, and the samen sall appertain and belong to the next person or air of tailzie appointit to succeed in manner foresaid, and sua furth successive in caise of several failzies as said is. Likeas the person failzier, and the airis maill of his body sall be halden and obleist to denude themselves, omni habili modo, of the said estait and leiving, and to mak and grant all writts and rights requisit and necessar thereof in favours of the next succeeding persoun or air of tailzie, and his said airis male of his body; qlks failzeing, in favours of the other airis of tailzie respective above written, upon the conditiounes always, and provisiounes respective and particularly above exprest.

After this the order of succession is resumed in the following terms: And qlkis all failzeing be decesse, or be not observing of the provisiounes, restrictiounes, and conditiounes above wrn, the richt of the said estait sall pertene and belong to the eldest dochter of the said umql. Hary, Lord Ker, without divisioun, and yr aires maill, she always mareing, or being maried to ane gentilman of honourl and laull descent, wha sall perform the conditiounes above and under wrn; qlkis all failzeing, and yr sds aires maill, to our narrest and laull aires maill qtsomever. See 25th April 1707.

4th October 1616. Sir Walter Ogilvy of Deskford, knight. Lord Ogilvy of Deskford. See 20th February 1638.

25th August 1618. Sir George Ramsay of Dalhousie, knight. Lord Ramsay of Melrose, to him and his heirs male and successors in the said barony. Mag. Sig. L. xlix. No. 68. Letter under the great seal, 5th January 1619, nos ex affecta nostro lubenter cupientes præfatum prædi-

1619. lectum nostrum consanguineum Georgium, Dominum Ramsay de Melrose, ratificare in mutatione dicti tituli de Melrose, ac pro eodem substituendo titulum de Dalhousie: Noveritis igitur nos, authoritate nostra regia et ex certa scientia et proprio motu, mutasse, tenoreque præsentium mutare nomen et titulum Domini Ramsay de Melrose, ac pro eodem substituisse tenoreque præsentium substituere nomen et titulum Domini Ramsay de Dalhousie, nec non creasse dictum nostrum consanguineum et hæredes suos masculos omni tempore affuturo Dominos Ramsay de Dalhousie Mag. Sig. L. xlix No. 94. See 29th June 1633.

12th March 1619. Thomas Erskine, Viscount of Fentoun. Earl of Kellie, by patent dated at Newmarket, to him and his heirs male bearing the name of Erskine. Mag. Sig. L. xlix. No. 122.

16th March 1619. Walter Scott, Lord Scott of Buccleuch. Earl of Buccleuch, Lord Scott and Eskdale, to him and his heirs male, by patent dated at Newmarket. Mag. Sig. L. xlix No. 123. Appear to have been extended, by a subsequent patent or charter, to heirs female, as the same were inherited by his grand-daughter. See 20th April 1663.

20th March 1619. Thomas Hamilton, Lord Binning and Byres. Earl of Melrose, to him et hæredibus suis masculis cognomen de Hamilton gerentibus, by patent dated at Newmarket. Mag. Sig. L. xlix. No. 124. Changed to the title of Earl of Haddington, by patent dated at Bagshot, 17th August 1627, Nos cum avisamento prælilecti consanguinei et consiliarii Thomæ, Comitis de Melross, suppressimus, tenoreque præsentium supprimemus, prædictum stilum de Melross, et per præsentes has literas nostras patentes promovimus eum, et hæredes suos masculos, ad honorem stilum et titulum Comitis de Haddington, per ipsum suosque hæredes masculos prædict. omni tempore futuro possiden. Mag. Sig. L. li. No. 206. Patent, dated at Holland-house, 18th December 1689, Nos considerantes expresse fuisse provisum in matrimoniali contractu inter demortuum Carolum Haddingtoniæ Comitem ex una parte, et Dominam Margaretam Leslie nunc Rothusiæ et Haddingtoniæ Comitissam, cum consensu defuncti Joannis Rothusiæ Ducis ejus patris, ex altera, expedito de data ——, quod filius ejusdem matrimonii natu maximus in Rothusiæ titulo et dignitate succederet, dictumque Carolum Haddingtoniæ Comitem (ne in persona filii illius natu maximi tituli et dignitatis Haddingtoniæ evenerit confusio) honorem titulum et dignitatem Haddingtoniæ antedictum resignare fuisse obligatum, ac durante vita sua eundem de facto resignasse in sui ipsius favorem in vitali redditu, et Thomæ Hamilton filii ejus natu secundi et hæredum masculorum de ejus corpore, quibus deficientibus in favorem Caroli Hamilton, fratris ejus junioris et hæredum masculorum de ejus corpore, in manibus thesaurariorum principalis et deputati, ac reliquorum dominorum scaccarii commissionariorum nostrorum tanquam in manibus nostris, cum hac autem speciali provisioni et conditione, quod si per decessum Joannis, Domini Leslie, filii legitimi natu maximi ejusdem Caroli Haddingtoniæ Comitis, absque hæredibus de suo corpore, dictum Thomam Hamilton in titulo honore et dignitate Rothusiæ Comitis succedere contigerit, tunc et in eo casu dictus Thomas de eodem titulo honore et dignitate Haddingtoniæ, in favorem dicti Caroli Hamilton fratris ejus junioris, sese omni habili modo devestere astringitur et obligatur, &c. Noveris igitur nos fecisse dictum Thomam Hamilton et hæredes masculos de ejus corpore, quibus deficien. dictum Carolum Hamilton fratrem ejus juniorem et hæredes masculos de ejus corpore, quibus deficien. dictum Joannem Dominum Leslie et hæredes masculos de ejus corpore, quibus omnibus deficien. cæteros hæredes dict. quondam Caroli Haddingtoniæ Comitis, secundum tenorem et formam primi et originalis diplomatis, per serenissimos decessores nostros, in favorem Thomæ primi Haddingtoniæ Comitis concess. in omnibus punctis, Comites de Haddington, Dominos Binning et Byres, in eodem ordine et gradu, &c. Mag. Sig. L. lxxii. No. 1. Another patent, dated at St James's, 22d October 1702, narrating the preceding patent of 18th December 1689, and the contract of marriage of 11th October 1674, on which the same proceeded, and going on, Nos ultra considerantes quod pro evitanda omni contraversia questione et disputatione, quæ de jure prædicti tituli et dignitatis in persona memorat. Thomæ nunc Comitis de Haddington moveri poterint, ratione cujusvis informalitatis imperfectionis seu nullitatis, quæ contra prædictum diploma, vel quasvis clausulam seu clausulas inibi contentis proponi aut alleguri poterint, et specialiter circa clausulam prædictam, cum resignatione inibi et supra specificato dispensantem, prædictus honor titulus et dignitas Comitis de Haddington, Domini Binning et Byres, virtute procuratoriæ resignationis per Joannem, Comitem de Rothes, filium natu maximum, et jure sanguinis hæredem prædicti defuncti Caroli Comitis de Haddington, in hunc effectum factæ et concessæ de data, — die mensis — ultimo elapsi, die datæ præsentium, debite et legitime de novo resignatus in manibus nostris in favorem et pro novo diplomata faciendo et concedendo per nos sub nostro magno sigillo Scotiæ memorato Thomæ, nunc Comiti de Haddington, et hæredibus masculis ejus corporis, quibus deficientibus, aliis hæredibus prædicti defuncti Caroli, Comitis de Haddington, secundum tenorem primi et originalis diplomatis in favorem memorati quondam Thomæ, primi Comitis de Haddington, in omnibus punctis, prout authentica instrumenta super dicta resignatione in manibus —— notarii publici 1619.

1620-1621. susceptа amplius ferunt. Et nos vero in memoriam nostrum revocantes permulta præclara servitia nostris regiis progenitoribus, per prædecessores præfati Thomæ, nunc Comitis de Haddington, temporibus retroactis præstita et facta, et volentes in testimonium nostræ regiæ favoris prædictum titulum de Haddington, in ejus persona, a prædicto titulo de Rothes separatum et distinctum remanere, et nunquam cum eo confusum fore, noveritis igitur nos non solum ratificare, &c. antedictum diploma per prædict. quondam Regem et Reginam in favorem præfati Thomæ, Comitis de Haddington, ejusque prædict. sed etiam de novo facere, creare, &c. memoratum Thomam, nunc Comitem de Haddington, et hæredes masculos de ejus corpore, quibus deficien. præfatum Joannem, Comitem de Rothes, hæredesque masculos de ejus corpore; quibus omnibus deficien. alios hæredes prædicti defuncti Caroli, Comitis de Haddington, secundum tenorem prædicti primi et originalis diplomatis a nostris regiis antecessoribus in favorem præfati *quond.* Thomæ, primi Comitis de Haddington, in omnibus punctis concess. Comitis de Haddington, Dominos Binning et Byres, in eodem ordine et gradu cumque omnibus aliis privilegiis, &c. quæ præfato quondam Carolo, *Comiti* de Haddington, *vel* cuivis suorum prædecessorum Comitum prædict. virtute primi et originalis diplomatis a nostris regiis antecessoribus fact. et concess. competere valuissent, &c. et declaramus resignationem suprascript. in manibus nostris factam una cum præsentibus, ejusdem fore vigoris et effectus præfato Thomæ, nunc *Comiti* de Haddington, *et* hæredibus masculis ex ejus corpore; quibus deficien. aliis hæredibus supra mentionat. pro fruendo et possidendo prædictum titulum, honorem, et dignitatem, &c. quam *si* dict. originale diploma ita concessum fuisset, et sicut Thomas, nunc Comes de Haddington, prædict. in eodem particulariter nominatus fuisset. Mag. Sig. L. lxxix. No. 24.

20th August 1620. Robert Maxwell, Lord Maxwell. Earl of Nithsdale, Lord Maxwell, Eskdale, and Carleill, by patent dated at Farnham, to him suosque hæredes masculos, with precedency from 29th October 1581, the date of his father's creation as Earl of Morton. Mag. Sig. L. xlix. No. 290. Forfeited 1715.

10th November 1620. Sir Henry Cary of Berkhamstead, K.B. Viscount of Falkland, and Lord Cary, to him and his heirs male bearing the name and arms of Cary, by patent dated at Newmarket. Mag. Sig. L. xlix. No. 296.

14th November 1620. Sir Henry Constable of Burton, knight. Viscount of Dunbar and Lord Constable, by patent dated at Newmarket, to him and his heirs male bearing the name and arms of Constable. Mag. Sig. L. xlix. No. 298. Dormant.

16th August 1621. David Murray, Lord Scone. Viscount of Stormonth, sibi suisque hæredibus masculis de corpore suo legitime procreatis seu procreandis; quibus deficientibus, hæredibus suis masculis et talliæ cognomen et insignia de Murray gerentibus, in infeofamentis dominii de Scone comprehensis. Original patent in the possession of the Earl of Mansfield. 1622-1626.

2d February 1622. William Crichton, Lord Crichton of Sanquhar. Viscount of Air, and Lord of Sanquhar, by patent dated at Newmarket, to him and the heirs male of his body. Mag. Sig. L. l. No. 10. See 12th June 1633.

2d February 1622. Sir Andrew Ker of Fernihirst. Lord Jedburgh, by patent dated at Newmarket, to him and his heirs male and successors, in familiam de Fernihirst, cognomen et insignia de Kerr gerentibus. Mag. Sig. L. l. No. 88. New patent, 11th July 1670, to Robert, third Lord Jedburgh, and the heirs male of his body; which *failing*, to William, Master of Newbottle, and the heirs male of his body; which failing, to the heirs male whatsoever of the said *William*, Master of Newbottle, with the original precedency. Mag. Sig. L. lxii. No. 313. Merged in the Marquisate of Lothian.

28th June 1622. Sir John Murray of Cockpool, knight. Viscount of Annand, and Lord Murray of Lochmaben, to him and the heirs male of his body. Sir James Balfour's M. S. Adv. Lib. See 19th March 1624.

19th September 1623. Alexander Stewart, Lord Stewart of Garlies. Earl of Galloway, by patent dated at Theobalds, to him and his heirs male bearing the name and arms of Stewart. Mag. Sig. L. l. No. 201.

3d December 1623. Colin Mackenzie, Lord Mackenzie of Kintail. Earl of *Seaforth*, by patent dated at *Theobalds*, to him and his heirs male. Mag. Sig. L. l. No. 265. Forfeited 1715.

13th March 1624. John Murray, Viscount of Annand. Earl of Annandale, by patent dated at Whitehall, to him and the heirs male of his body. Mag. Sig. L. l. No. 306.

14th March 1624. John Maitland, Viscount of Lauderdale. Earl of Lauderdale, Viscount Maitland, Lord Thirlestane and Boltoun, by patent dated at Whitehall, to him and his heirs male bearing the name and arms of Maitland. Mag. Sig. L. l. No. 309. See 1st May 1672.

KING CHARLES I.

From 27th March 1625, *to 30th January* 1649.

12th February 1626. Hon. James Campbell, second son of Archibald, seventh Earl of Argyll. Lord of Kintyre, to him and his heirs male and suc-

1627-1628.

cessors in the said lordship. Mag. Sig. L. li. No. 128. See 28th March 1642.

4th May 1627. Sir George Hay, high chancellor of Scotland. Viscount of Duplin, and Lord Hay of Kinfauns, to him and the heirs male of his body, by patent dated at Whitehall. Mag. Sig. L. li. No. 136. See 25th May 1633.

4th May 1627. Sir Archibald Napier of Merchistoun, baronet. Lord Napier of Merchistoun, by patent dated at Whitehall, to him and the heirs male of his body. Mag. Sig. L. l. No. 145. Resigned into the hands of King Charles II. and new patent granted 7th February 1677, with the former precedency, to Archibald, third Lord Napier, and the heirs of his body; which failing, to his three sisters, Jean, Margaret, and Mary, and the heirs male of their bodies respectively; which failing, hæredi femellæ natu maximæ ex corpore dictæ Dominæ Jeannæ Napier, absque divisone, et hæredibus masculis ex corpore dictæ hæredis femellæ, quibus deficien. hæredi femellæ natu maximæ dictæ Jeannæ absque divisione, et ita successive quamdiu extant et supersunt ullæ filiæ legitime procreatæ ex corpore dictæ Jeannæ; which failing, to the same heirs of the bodies of Margaret and Mary; which failing, to the heirs male whatsoever of the said Archibald, Lord Napier; which all failing, to his heirs and assignees whatsoever. Mag. Sig. L. lxviii. No. 54.

17th October 1627. Sir Edward Barret of Bellhouse, knight. Lord Barret of Newburgh, by patent dated at Whitehall, to him and the heirs male of his body bearing the name and arms of Barret. Mag. Sig. L. li. No. 208. Extinct in 1644.

18th October 1627. Sir Thomas Fairfax of Denton, knight. Lord Fairfax of Cameron, by patent dated at Whitehall, to him and the heirs male of his body bearing the name and arms of Fairfax. Mag. Sig. L. li. No. 205.

28th November 1627, Sir Walter Aston of Tixall, baronet. Lord Aston of Forfar, by patent dated at Whitehall, to him and his heirs male for ever, bearing the name and arms of Aston. Mag. Sig. L. lii. No. 13.

1627. Lord John Gordon, second son of George, first Marquis of Huntly. Viscount of Melgum, and Lord Aboyne. Extinct in 1630.

30th January 1628, (not 1629 as at Vol. II. p. 601.) Hon. Sir Patrick Murray of Castleton, knight, third son of John, first Earl of Tullibardine. Earl of Tullibardine and Lord Murray of Gask, to him and his heirs male whatsoever. Mag. Sig. L. lii. No. 44. Merged in the dukedom of Atholl.

Ult. Febr. 1628. Elisabeth Beaumont, wife of Sir Thomas Richardson, knight, chief justice of the court of Common Pleas. Baroness of Cramond, by patent dated at Newmarket, to her for life, and, after her decease, the title of Baron of Cramond, to Sir Thomas Richardson, knight, eldest son of the chief justice, and his heirs male, which failing, to the heirs male of the body of the chief justice. Mag. Sig. L. lii. No. 264. Extinct in 1735.

1628-1633.

1st April 1628. Sir William Douglas of Drumlanrig, knight. Lord Douglas of Hawick and Tibberis, to him and his heirs male, bearing the surname and arms of Douglas. Mag. Sig. L. lii. No. 103; and, on the same day, Viscount of Drumlanrig, Lord Douglas of Hawick and Tibberis, to him and his heirs male bearing the surname and arms of Douglas. Mag. Sig. L. lii. No. 104. See 13th June 1633.

1st April 1628. Sir John Wemyss of Wemyss, baronet. Lord Wemyss of Elcho, by patent dated at Whitehall, to him and his heirs male bearing the name and arms of Wemyss. Mag. Sig. L. lii. No. 107. See 25th June 1633.

19th April 1628. Sir John Stewart of Traquair, knight. Lord Stewart of Traquair, by patent dated at Whitehall, to him and his heirs male bearing the name and arms of Stewart. Mag. Sig. L. lii. No. 15. See 23d June 1633.

20th June 1628. Sir Donald Mackay of Far, baronet. Lord Reay, by patent dated at Whitehall, to him and his heirs male bearing the name and arms of Mackay. Mag. Sig. L. lii. No. 46.

22d July 1628. John Stewart, Lord Kinclevan. Earl of Carrick in Orkney, to him and the heirs male of his body. Extinct in 1652.

18th September 1628. Sir Robert Dalzell, knight. Lord of Dalzell, by patent dated at Whitehall, to him and his heirs male bearing the name and arms of Dalzell. Mag. Sig. L. lii. No. 125. See 1639.

17th February 1629. John Murray, only son of William, second Earl of Tullibardine. Earl of Atholl, as heir of John, Earl of Atholl, brother uterine of King James II. Mag. Sig. L. lii. No. 89. See 7th February 1676.

4th September 1630. Sir William Alexander of Menstrie, baronet. Viscount of Stirling, and Lord Alexander of Tullibody, by patent dated at Windsor, to him and his heirs male bearing the name and arms of Alexander. Mag. Sig. L. liii. No. 135. See 14th June 1633.

20th April 1632. George, Lord Gordon, eldest son of George, first Marquis of Huntly. Viscount of Aboyne, by patent dated at Whitehall, to him during the life of his father, and to James Gordon his son, after his succession to the title of Marquis of Huntly, or after his death, and his heirs male. Mag. Sig. L. liv. No. 93.

21st January 1633. William Graham, late Earl of Strathern and Menteth, which titles were set aside. Earl of Airth and Menteth, by patent dated at Whitehall, to him and his heirs, with precedency from 6th September 1427. Dormant.

8th May 1633. John Lindsay, Lord Lindsay

1633. of Byres. Earl of Lindsay, and Lord Lindsay of Parbroath, by patent dated at Theobalds, to him and his heirs male bearing the name and arms of the Lords Lindsay. Mag. Sig. L. liv. No. 180. Merged in the earldom of Crawford.

8th May 1633. Sir John Gordon of Lochinvar, knight. Viscount of Kenmure, and Lord of Lochinvar, by patent dated at Theobalds, to him and his heirs male whatsoever bearing the name and arms of Gordon. Mag. Sig. L. liv. No. 63. Forfeited in 1715.

12th May 1633. Sir John Campbell, husband of Margaret, Baroness of Loudoun. Earl of Loudoun, Lord of Tarrinzean and Machline, by patent dated at Theobalds, to him and his heirs male for ever, bearing the name and arms of Campbell. Mag. Sig. L. liv. No. 181. Resigned by the third Earl into the hands of Queen Anne, and new charter of the titles and estates, dated at St James's, 7th February 1707, granted to Hugh, Earl of Loudoun, Lord Machline and Tarrinzean, et hæredibus masculis inter illum et Margaretam Comitissam de Loudoun, ejus sponsam, legitime procreatis seu procreandis, quibus deficientibus, hæredibus masculis de corpore dicti Hugonis, Comitis de Loudoun, in quovis subsequente matrimonio legitime procreandis, quibus deficientibus, in favorem cujuscunque descenden. de corpore nunc demortui Joannis, Comitis de Loudoun, avi dicti Hugonis, Comitis de Loudoun, quem dictus Hugo, Comes de Loudoun, nominabit per scriptum sub manu sua, quocunque tempore sue vitæ etiamsi in articulo mortis, cum et sub talibus conditionibus, &c. prout ei visum fuerit in eodem inserere, et deficien. aliqua tali nominatione per dictum Hugonem Comitem de Loudoun faciend. seu persona vel personis ita nominand. hæredibus masculis de corpore dicti demortui Joannis Comitis de Loudoun descenden. quibus deficientibus, hæredibus quibuscunque de corpore prædicti Joannis, Comitis de Loudoun, descenden. quibus deficientibus, hæredibus masculis dicti quond. Joannis Comitis de Loudoun quibuscunque. Mag. Sig. L. lxxxii. No. 128. R.

25th May 1633. George Hay, Viscount of Duplin, high chancellor of Scotland. Earl of Kinnoul, Viscount of Duplin, and Lord Hay of Kinfauns, by patent dated at York, to him and his heirs male for ever. Mag. Sig. L. liv. No. 65. Resigned by William, fifth Earl of Kinnoul, and by patent or charter, dated at St James's, 29th February 1704, the honours were granted to him for life, and, after his decease, to Thomas, Viscount of Duplin, and the heirs male of his body; which failing, to his heirs of tailzie and provision succeeding to him in his lands and barony of Duplin, with the former precedency. Mag. Sig. L. lxxx. No. 69.

12th June 1633. William Crichton, Viscount of Air. Earl of Dumfries, Viscount of Air, Lord Crichton of Sanquhar and Cumnock, by patent dated at Dunglass, to him and his heirs male for ever, bearing the name and arms of Crichton. Mag. Sig. L. liv. No. 126. Resigned by William, second Earl of Dumfries, and new patent granted 3d November 1690, with the former precedency, to himself for life, and, after his decease, to his grandson William, Lord Crichton, and the heirs male of his body; which failing, to Penelope, eldest daughter of his son Charles, Lord Crichton, deceased, and the heirs of her body succeeding to the family estates; which failing, to her sisters Margaret, Mary, and Elisabeth, and the heirs of their bodies respectively succeeding to the family estates; which failing, to the nearest heirs whatsoever of the said Charles, Lord Crichton. Mag. Sig. L. lxxii. No. 122. 1633.

13th June 1633. William Douglas, Viscount of Drumlanrig. Earl of Queensberry, Viscount of Drumlanrig, Lord Douglas of Hawick and Tibberis, by patent dated at Holyroodhouse, 13th June 1633, to him and his heirs male bearing the surname and arms of Douglas. Mag. Sig. L. liv. No. 130. See 11th February 1682.

14th (not 17th as at Vol. I. p. 441.) June 1633. William Douglas, Earl of Angus. Marquis of Douglas, Earl of Angus, Lord Abernethy and Jedburgh forest, by patent dated at Dalkeith, to him and his heirs male and successors for ever. Mag. Sig. L. liv. No. 133. See 10th April 1703.

14th June 1633. William Alexander, Viscount of Stirling. Earl of Stirling, Viscount of Canada, and Lord Alexander of Tullibody, by patent dated at Dalkeith, to him and his heirs male for ever, bearing the name and arms of Alexander. Mag. Sig. L. liv. No. 135. Dormant.

19th June 1633. Hon. Sir James Livingston, third son of Alexander, first Earl of Linlithgow. Lord Livingston of Almond, by patent dated at Holyroodhouse, to him and his heirs male for ever. Mag. Sig. L. liv. No. 136. See 6th October 1641.

20th June 1633. James Johnston of Lochwood. Lord Johnston of Lochwood, by patent dated at Holyroodhouse, sibi suisque hæredibus masculis in perpetuum. Mag. Sig. L. liv. No. 141. See 18th March 1643.

21st June 1633. Thomas Bruce, Lord Kinloss. Earl of Elgin, and Lord Bruce of Kinloss, by patent dated at Holyroodhouse, to him and his heirs male for ever, bearing the name and arms of Bruce. Mag. Sig. L. liv. No. 128.

22d June 1633. David Carnegy, Lord Carnegy of Kinnaird. Earl of Southesk, Lord Carnegy of Kinnaird and Leuchars, by patent dated at Holyroodhouse, to him and his heirs male for ever. Mag. Sig. L. liv. No. 127. Forfeited in 1715.

1633. 23d June 1633. John Stewart, Lord Stewart of Traquair. Earl of Traquair, Lord of Linton and Caberston, by patent dated at Holyroodhouse, to him and his heirs male for ever, bearing the name and arms of Stewart. Mag. Sig. lv. No. 142.

24th June 1633. Sir Robert Ker of Ancrum, knight. Earl of Ancrum, Lord Ker of Nisbet, Langnewton, and Dolphingston, to him and the heirs male procreated betwixt him and Lady Anne Stanley his second wife; which failing, to the other heirs male of the said Sir Robert Ker, and their heirs male for ever. Merged in the earldom of Lothian. Mag. Sig. L. liv. No. 137.

24th June 1633. Sir Robert Douglas of Spott, knight. Viscount of Belhaven, to himself and the heirs male of his body. Extinct in 1639.

24th June 1633. Alexander Forbes of Pitsligo. Lord Forbes of Pitsligo, by patent dated at Holyroodhouse, to him et hæredibus masculis de suo corpore legitime procreandis, vel eorum hæredibus; quibus deficientibus, hæredibus suis masculis quibuscunque cognomen et arma de Forbes gerentibus. Mag. Sig. L. liv. No. 139. Forfeited 1746.

25th June 1633. John Wemyss, Lord Wemyss of Elcho. Earl of Wemyss, Lord Elcho and Methell, by patent dated at Holyroodhouse, to him and his heirs male for ever, bearing the name and arms of Wemyss. Mag. Sig. L. liv No. 131. By charter under the great seal, 22d July 1651, the titles and estates were granted to David, Earl of Wemyss, and the heirs male of his body; which failing, cuicunque personæ per eum, sive ægrum, sive sanum, sive in lecto ægritudinis, nominando ad succedendum sibi, et deficiente tali nominatione seu destinatione, proximis ejus hæredibus masculis quibuscunque. The said Earl resigned his titles and estates, and a charter was granted under the great seal to Lady Margaret Wemyss his only daughter, procreated betwixt him and Lady Margaret Leslie, his then spouse, and the heirs male of her body; which failing, to the other heirs of entail therein comprehended. By the marriage contract of the said Lady Margaret Wemyss with Sir James Wemyss of Burntisland, 25th December 1671, the Earl was held and bound to resign his titles and estates in favour of her and the heirs male of her body; which failing, in favour of the other heirs of entail, reserving his own liferent. Ratified by charter under the great seal, 23d August 1672. Mag. Sig. L. lxiii. No. 162.

25th June (not May, as at Vol. II. p. 60.) Sir Robert Maclellan of Bombie, knight, Lord Kirkcudbright, to him suisque hæredibus masculis cognomen et arma dicti Domini Roberti gerentibus. Mag. Sig. L. liv. No. 134.

27th June 1633. Sir David Lindsay of Balcarres, knight. Lord Lindsay of Balcarres, by patent dated at Holyroodhouse, to him and his heirs male bearing the name and arms of Lindsay. Mag. Sig. L. liv. No. 132. See 9th January 1651. 1633.

29th June 1633. William Ramsay, Lord Ramsay of Dalhousie. Earl of Dalhousie, and Lord Ramsay of Keringtoun, by patent dated at Holyroodhouse, to him and his heirs male. Mag. Sig. L. liv. No. 129.

29th June 1633. Andrew Fraser of Muchal. Lord Fraser, by patent dated at Holyroodhouse, to him and his heirs male for ever, bearing his name and arms. Mag. Sig. L. liv. No. 138. Dormant.

22d July 1633. Sir George Forrester of Corstorphine, baronet. Lord Forrester of Corstorphine, by patent dated at Holyroodhouse, to him et hæredibus suis masculis quibuscunque (not heirs general as at Vol. I. p. 604.) with this preamble, Nos in memoriam revocantes bona fidelia et gratuita servitia, nostris illustribus majoribus per prædecessores dilecti nostri Domini Georgii Forrester de Corstorphine, militis baronetti, præstita et impensa, et specialim per quondam Dominum Jonnuem Forrestar de Corstorphine, militem, Magnum Camerarium Scotiæ pro tempore, quondam nostro præclarissimo progenitori Jacobo I. Scotorum Regis, et similiter perpendentes bonum fidele et gratuitum servitium, nobis et quondam carissimo patri, per præfatum Dominum Georgium Forrester de Corstorphine, in sua fideli, diligente, et sedula executione officii vicecomitis infra bondas Vic. nri de Edinburgh, diversis temporibus et annis retroactis, præstitum et impensum. Mag. Sig. L. lxix. No. 128. The Lords of Session, in their report to the House of Lords 1740, state that the patent of Lord Forrester was duly sealed in the 1651, but not entered in the register till 1684. Robertson's Proceedings, 220. In the public register is a charter of the lands of Corstorphine and Torwoodhead, dated 1st March 1650, the latter being provided to James Baillie, eldest son of Major-General William Baillie of Letham, William, Alexander, and the other sons of the Major-General, and the heirs male of their bodies respectively, which failing, to the nearest heirs whatsoever of the said James Baillie; and Corstorphine being provided Jacobo Baillie filio legitimo natu maximo et hæredi apparenti M. G. Willielmi Baillie de Letham, et hæredibus masculis legitime procreandis inter illum et Magram Jeannam Forrestar ejus sponsam, filiam legitimam Georgii, Domini Forrestar de Corstorphine sui patris, qui nomen et insignia de Forrestar cum suis insigniis conjunct. et eisdem addit. sumere et gerere tenebuntur; quibus deficientibus, Willielmo Baillie secundo filio legitimo dicti M. G. Willielmi Baillie, et hæredibus masculis legitime procreandis inter illum et Magram Liliam Forrestar filiam legitimam dicti Georgii, Domini Forrestar, ejus

1638-1638. futuram sponsam, similia nomen et insignia de Forrestar geren. cum suis conjunct. et iisdem addit.; quibus deficientibus, seniori hæredi femellæ sine divisione procreand. inter dict. Jacobum Baillie et dict. Magram Jeannam Forrestar ejus sponsam, et hæredibus de corpore ejus procreand.; quibus deficientibus, proximæ filiæ de dict. nuptiis procreand. quibus deficientibus, tertiæ vel pluribus filiabus earum nuptiarum, etiam sine divisione; quibus omnibus deficientibus, seniori hæredi femellæ procreand. inter dict. Willielmum Baillie et dict. Magram Liliam Forrestar sine divisione, et hæredibus de ejus corpore procreand.; quibus deficientibus, proximæ filiæ ex eisdem nuptiis procreand.; quibus deficientibus, tertiæ vel pluribus filiabus ex eisdem nuptiis; quibus omnibus deficientibus, dict. Jacobo Baillie hæredibus suis masculis linie vel patris talliæ subscript. per illum fact. sumen. et geren. dict. nomen et insignia de Forrestar cum suis conjunct. Mag. Sig. L. lviii. No. 254. R. According to the first edition, p. 714, George, first Lord Forrester, and General Baillie, made a joint settlement of their respective estates of Corstorphine and Torwoodhead, in favour of the said James Baillie, and the issue male of his marriage with the said Joanna Forrester; which failing, to the said William Baillie, and the issue male of his marriage with the said Lilias Forrester; which failing, to their respective heirs whatsomever, or heirs general, &c. In consequence of this settlement, the said George, Lord Forrester, made a resignation of his peerage into the King's hands, upon which he obtained a new patent, exactly in terms of the above settlement, in these words: In favorem dicti Jacobi Baillie, et hæredum de dicto matrimonio procreand. inter illum et præfatam Jeannam Forrester; quibus deficientibus, in favorem dicti Willielmi Baillie, et hæredum in dicto contractu matrimoniali expressorum, &c. reservato dicto Domino Georgio suo vitali redditu ejusdem pro toto suæ vitæ tempore, &c. the said James being therein designed Master of Forrester, and he and his successors are obliged to carry the name and arms of Lord Forrester, &c. This charter, the first edition goes on to state, is dated 13th August 1650, and documented by a charter in the public register and records of parliament. The Editor has not seen any other documents than the patent 1633, inserted among the charters of 1682, 1683, and 1684, in the great seal register, and the charter of 1st March 1650, before recited.

20th February 1638. James Ogilvy, Lord Ogilvy of Deskford. Earl of Findlater, by patent dated at Newmarket, to him suisque hæredibus masculis de corpore suo legitime procreatis ipsi in patrimonio et statu de Findlater et Deskford succeden. Mag. Sig. L. lvi. No. 7. Now patent 18th October 1641, declaring the honours descendible to Sir Patrick Ogilvy, son-in-law of the first Earl of Findlater, and his heirs male. Robertson's Proceedings, 208, 225. Dormant. 1639-1641.

31st March 1639. Lord William Hamilton, second son of James, second Marquis of Hamilton. Earl of Lanark, Lord Machanshire and Polmont, by patent dated at York, to him suisque hæredibus masculis ipsi in patrimonio et statu succeden. Mag. Sig. L. lvi. No. 68. Merged in the dukedom of Hamilton, 1649.

2d April 1639. James Ogilvy, Lord Ogilvy of Airly. Earl of Airly, Lord Ogilvy of Alyth and Lintrathen, by patent dated at York, to him suisque hæredibus masculis sibi in patrimonio et statu succeden. Mag. Sig. L. lvi. No. 86.

20th April 1639. Sir John Carnegy, brother of David, first Earl of Southesk. Lord Lour, by patent dated at York, to him and his heirs male omni tempore futuro. Mag. Sig. L. lvi. No. 81. See 1st November 1647.

1639. Robert Dalzell, Lord Dalzell. Earl of Carnwath. Forfeited 1715.

1639. George Patrick Ruthven. Lord Ruthven of Ettrick. See 27th March 1642.

1639. Sir John Hamilton of Letrick. Lord Bargeny. According to Nisbet, Heraldry I. 394. his creation took place 14th November 1641. Limitations not known. Dormant or extinct.

6th October 1641. James Livingston, Lord Livingston of Almond. Earl of Calendar, Lord Livingston and Almond, by patent dated at Holyroodhouse, to him and the heirs male of his body. Patent dated at Newcastle, 22d July 1646, granting to him, in the event of failure of heirs male of his body, the power of nominating the person who should succeed to him in his estates, with a declaration that such person, and his successors, should enjoy his title and dignity; and in default of such nomination, the same to go to Alexander Livingston, the son of his brother, and his heirs of entail and provision. Mag. Sig. L. lviii. No. 63, as marked in the W. S. Index. Resigned by him, and patent granted 21st November 1660, with the former precedency, to him for life, and after his decease to Alexander Livingston, eldest son of the deceased Alexander, Earl of Linlithgow, procreated betwixt him and the deceased Lady Mary Douglas, his second wife, et hæredes masculos ex ejus corpore legitime procreandos, quibus deficientibus, filium legitimum ordine succedente secundum ex corpore Georgii nunc Comitis de Linlithgow, legitimi procreatum seu procreandum, et hæredibus masculis ex corpore dicti filii secundi geniti legitime procreand. quibus deficientibus, Alexandrum Livingston, filium legitimum demortui Domini Alexandri Livingston de Dalderss, equitis aurati, et hæredes masculos ex ejus corpore legitime procreandos, with other remainders. Mag. Sig. L. lx. No. 6. Merged in the earldom of Linlithgow, and forfeited 1715.

11th October 1641. General Alexander Lesly,

1641-1642. who had been previously created Lord Balgony, Earl of Leven, to him and his heirs whatsoever. By bond of tailzie of 13th February 1663, the second Earl of Leven obliged himself to make a resignation of his estates and honours in favour of himself and the heirs male of his body, which failing, to the eldest heir female procreated or to be procreated of the body of the said Earl, or of the bodies of his heirs male, without division, the said heir female marrying a gentleman of the surname of Leslie, or who shall assume that name, which failing, to the second son of John, Earl of Rothes, and the heirs male of his body, which failing, to the second son procreated or to be procreated betwixt the Lord Melville and Catharine Leslie his spouse, and the heirs male of the said second son's body, which failing, to the second son procreated or to be procreated betwixt the Earl of Wemyss and Margaret Leslie his wife, and the heirs male of the said second son's body, which failing, to the heirs male whatever of the said Earl of Leven; which all failing, to his heirs and assignees whatsoever. The King by his signature of 13th February 1664, ordered a charter to that effect to be expedited under the great seal, and the same was accordingly done, 7th September 1665. Mag. Sig. L. lxi. No. 23. See Morison's Decisions, 14380.

14th November 1641. Sir James Douglas, husband of Anne, only child of Laurence, fifth Lord Oliphant, second son of William, tenth Earl of Angus. Lord Mordingtoun, with the precedency of Lord Oliphant. N. In the union roll, Lord Mordingtoun is placed betwixt Lord Sinclair and Lord Sempill, and Lord Oliphant is ranked third below Lord Mordingtoun. Dormant or Extinct.

15th November 1641. Archibald Campbell, Earl of Argyll. Marquis of Argyll. Forfeited 1661.

15th November 1641. Sir John Scrimgeour, of Dudhope, knight, constable of Dundee. Viscount of Dudhope, and Lord Scrimgeour, to him and the heirs male of his body, which failing, to his heirs male whatsoever. See 1661.

16th November 1641. Sir Robert Arbuthnott of Arbuthnott, knight. Viscount of Arbuthnott, and Lord Inverbervie, to him and his heirs male.

17th November 1641. Sir Andrew Murray of Balvaird, knight. Lord Balvaird, by patent dated at Holyroodhouse, to him ejusque hæredes masculos. Original patent in the possession of the Earl of Mansfield. Merged in the title of Viscount of Stormont 1658.

27th March 1642. Patrick Ruthven, Lord Ruthven of Ettrick. Earl of Forth, by patent dated at York, to him and the heirs male of his body. Mag. Sig. L. lvii. No. 115. Extinct in him.

28th March 1642. James Campbell, Lord Kintyre. Earl of Irvine, and Lord of Lundie, by patent dated at York, to him and the heirs male of his body. Mag. Sig. L. lvii. No. 93. Extinct in him. 1642-1643.

28th March 1642. Lieutenant-General Sir James King of Barracht. Lord Eythin, by patent dated at York, to him and the heirs male of his body. Mag. Sig. L. lvii. No. 94. Extinct in him.

29th August 1642. James Crichton of Frendraught, heir male of Lord Crichton. Viscount of Frendraught, and Lord Crichton, by patent dated at Nottingham, to him and his heirs male and successors. Mag. Sig. L. lvii. No. 113. Forfeited 1690.

31st August 1642. Sir George Ogilvy of Banff, baronet. Lord Banff, by patent dated at Nottingham, to him and his heirs male for ever, bearing the name and arms of Ogilvy. Mag. Sig. L. lvii. No. 114. Dormant.

18th March 1643. James Johnston, Lord Johnston of Lochwood. Earl of Hartfell, Lord Johnston of Lochwood, Moffatdale, and Evandale, by patent dated at Oxford, to him suisque hæredibus masculis in perpetuo. Mag. Sig. L. lvii. No. 303. James, second Earl of Hartfell, had a patent dated at Whitehall 13th February 1661, with the former precedency, granting the titles of Earl of Annandale and Hartfell, Viscount of Annand, Lord Johnston of Lochwood, Lochmaben, Moffatdale, and Evandale, to him ejusque hæredes masculos, quibus deficientibus, hæredem femellam natu maximam absque divisione ex corpore dicti Jacobi Comitis de Hartfell hactenus procreatam seu procreandam, ac hæredes masculos ex corpore dictæ hæredis femellæ natu maximæ legitime procreandos, cognomen et arma de Johnston gerentes; quibus omnibus deficientibus, dicti Jacobi Comitis de Hartfell proximos hæredes quoscunque. Mag. Sig. L. lx. No. 11. Charter, 3d April 1662, to James Earl of Annandale and Hartfell, et hæredibus masculis legitime de suo corpore procreatis seu procreandis, quibus deficientibus, hæredibus femellis sine divisione hactenus procreatis vel procreandis de corpore dicti Jacobi Comitis de Annandale et Hartfell, et hæredibus masculis legitime procreandis de corpore dictæ hæredis femellæ natu maximæ, haben. tenen. et geren. nomen et insignia de Johnston, quæ tenebuntur assumere tenere et gerere, quibus deficientibus proximis hæredibus et assignatis dicti Jacobi Comitis de Annandale et Hartfell quibuscunque, totas et integras terras, &c. et unimus et incorporamus totas et integras dictas terras in unam integram et liberam baroniam, dominium, regalitatem, comitatum, et justitiariam, cum libera capella et cancellaria, dicto Jacobo Comiti de Annandale et Hartfell, hæredibus et assignatis suis prædictis, nuncupat. et in perpetuum nuncupand. Comitatum de Annandale et Hartfell, et dominium de Johnston, cum titulo stilo et dignitate Comitis, secundum datas diplomatum dicto

1643. Jacobo Comiti de Annandale et Hartfell, et quondam ejus patri desuper concess. Mag. Sig. L. lx. No. 213. Ratified by act of Parliament 1669. See 24th June 1701.

18th March 1643. Sir Patrick Murray of Elibank, baronet. Lord Elibank, by patent dated at Oxford, to him and his heirs male whatsoever for ever. Mag. Sig. L. lvii. No. 304.

12th April 1643. James Hamilton, Marquis of Hamilton. Duke of Hamilton, Marquis of Clydesdale, Earl of Arran and Cambridge, Lord Avon and Innerdale, by patent dated at Oxford, to him et hæredibus masculis de corpore suo legitime procreandis, quibus deficientibus, Willielmo Comiti Lanarcæ suo fratri, et hæredibus masculos de corpore suo legitime procreatis seu procreandis, quibus deficientibus, hæredi femellæ natu maximæ absque divisione de corpore dicti Jacobi Ducis Hamilton, jam procreatæ seu procreandæ, et hæredibus masculis de corpore dictæ hæredis femellæ legitime procreandis, cognomen de Hamilton, et insignia familiæ de Hamilton gerentibus, quæ sibi semper assumere, et in omni tempore futuro gestare, tenebuntur et astringuntur, quibus etiam deficientibus, præfato Jacobo Duci Hamilton, suis propinquioribus legitimis hæredibus quibuscunque. Mag. Sig. L. lvii. No. 309. This patent is narrated in a patent dated 20th September 1660, granting to William, Earl of Selkirk, husband of Anne, Duchess of Hamilton, for his life only, the titles of Duke of Hamilton, Marquis of Clydesdale, Earl of Arran, Lanark, and Selkirk, Lord Avan, Machanshire, Polmont, and Daer. Mag. Sig. L. lx. No. 1. William, second Duke of Hamilton, resigned his titles and estates into the hands of King Charles II. at the Hague, 19th March 1650, and a charter of the same was granted in terms of that resignation, 15th June 1661, to Anne, Duchess of Hamilton, and the heirs male of her body, which failing, to Lady Susan Hamilton her sister, James, Lord Paisley, eldest son of James Earl of Abercorn, George Hamilton, second son of the said Earl, Lady Margaret Hamilton Countess of Crawford and Lindsay, and the heirs male of their bodies respectively, which failing, to the heirs whatsoever of William, Duke of Hamilton, hærede femella natu maxima prædict. hæredum quorumcunque omnimodo succedente sine divisione. Mag. Sig. L. lxi. No. 31. On the resignation of the said Anne, Duchess of Hamilton, her son, James, Earl of Arran, was, by patent dated at Loo 10th August 1698, created Duke of Hamilton, Marquis of Clydesdale, Earl of Arran, Lanark, and Cambridge, Lord Aven, Polmont, Machanshire, and Innerdale, with the original precedency. Mag. Sig. L. lxxv. No. 30.

3d August 1643. William Murray, gentleman of the King's bed-chamber. Earl of Dysart, and Lord Huntingtour, by patent dated at Oxford, to him and his heirs general. Resigned by Elisabeth, Countess of Dysart, and new patent dated at Whitehall, granted 5th December 1670, with the former precedency, to her ac ejus proli qui per eam nominabitur et designabitur hæres ad succedendem in dicto titulo et dignitate, scripto et nominatione per eam quovis tempore ejus vitæ subscribenda, ac hæredibus ex corpore dicti prolis, (natu maxima omnimodo succeden. absque divisione si fuerit femella,) quibus deficientibus, vel si nulla talis nominatio facta fuerit, vel postquam facta fuerit si per eam retractabitur, tunc in eo casu dictæ Comitissæ hæredibus quibuscunque, natu maxima omnimodo succeden. absque divisione. (Not correctly printed Vol. I. p. 490.) Mag. Sig. L. lxii. No. 267. 1644-1646.

6th May 1644. James Graham, Earl of Montrose. Marquis of Montrose, Earl of Kincardine, Lord Graham and Mugdock. Granted de novo by patent dated at Whitehall, 12th October 1660, to James, second Marquis of Montrose, ejusque hæredes masculos ex corpore suo in perpetuum. Mag. Sig. L. lx. No. 2. Resigned by James, fourth Marquis of Montrose, and new charter of the titles and estates granted 6th September 1706, ratified by act of parliament 1707, to him in liferent, and in fee to David, Lord Graham, his son, and the other substitutes mentioned at Vol. II. p. 246. Mag. Sig. L. lxxxii. No. 117. See 24th April 1707.

15th May 1645. Sir James Galloway of Carnbie, knight. Lord Dunkeld. Mag. Sig. L. lviii. No. 103. Forfeited in 1690.

3d August 1646. Patrick Maule of Panmure. Earl of Panmure, Lord Maule, Brechin, and Navar, to him and the heirs male of his body. Mag. Sig. L. lviii. No. 7. Forfeited in 1715.

4th August 1646. Lord William Douglas, third son of William, first Marquis of Douglas. Earl of Selkirk, Lord Daer and Shortcleuch, by patent dated at Newcastle, to him and his heirs male whatsoever for ever, bearing the name and arms of the antient family of Douglas. Mag. Sig. L. lxviii. No 171. Created Duke of Hamilton for his life, 1660. New patent of the earldom of Selkirk, dated at Whitehall 6th October 1688, with the former precedency, on his Grace's resignation, to his younger sons Lord Charles, Lord John, Lord George, Lord Basil, and Lord Archibald Hamilton, and the heirs male of their bodies respectively; which failing, in alios hæredes masculos dicti Ducis de Hamilton, et in literis suis patentibus suprascriptis content. with this proviso, that if any of these five brothers, or the heirs male of their bodies, succeed to the dukedom of Hamilton, the earldom of Selkirk semper descendet ad fratrem immediate juniorem illi qui ad titulum Ducis de Hamilton succedere contingerit, et hæredibus masculis de ejus corpore; quibus deficientibus, ut supra dictum est pertinebit. Mag. Sig. L. lxxi. No. 35.

1st December 1646. John Hay, Lord Hay of

1646-1647. Yester. Earl of Tweeddale, by patent dated at Newcastle, to him and his heirs male for ever. Mag. Sig. L. lviii. No. 8. See 17th December 1694.

1646. Sir James Maxwell of Innerwick, knight. Earl of Dirletoun, and Lord Elbottle, to him and the heirs male of his body. (The patent in the register is so much defaced it can hardly be read, according to Hardie's MS. Advocates Library.) Extinct in him.

13th September 1647. Sir James Livingston of Newburgh, knight baronet. Viscount of Newburgh, by patent dated at Hampton Court, to him and the heirs male of his body. Mag. Sig. L. lviii. No 68. See 31st December 1660.

1st November 1647. John Carnegy, Lord Lour. Earl of Ethie, Lord Lour and Egglismadie, to him and his heirs male for ever. Mag. Sig. L. lx. No. 72, 356. Altered, in 1662, to Earl of Northesk and Lord Rosehill, with the former precedency.

12th December 1647. Sir James Sandilands of St Monance, knight. Lord of Abercrombie, by patent dated at Carisbrook Castle, to him and the heirs male of his body. Mag. Sig. L. lviii. No. 119. Extinct in 1681.

15th December 1647. Sir John Hamilton of Broomhill, knight. Lord Belhaven and Stentoun, to him and the heirs male of his body; which failing, to his heirs male whatsoever. New patent, 10th February 1675, with the former precedency, to him for life, and after his decease to John Hamilton, the husband of his grand-daughter, and the heirs male of his body; which failing, to the nearest heirs male whatsoever of the said John Hamilton. Mag. Sig. L. lxv. No. 109.

20th December 1647. Sir Alexander Falconer of Halkertoun, knight. Lord Falconer of Halkertoun, to him and his heirs male whatsoever. (The patent in the register is so much defaced it can hardly be read, according to Hardie's MS. Advocates Library.) Merged in the earldom of Kintore 1778.

26th December 1647. Sir Edward Bruce of Carnock, knight. Earl of Kincardine, and Lord Bruce of Torry, by patent dated at Carisbrook Castle, to him and his heirs male. Mag. Sig. L. lviii. No 124. Merged in the earldom of Elgin, 1747.

29th December 1647. Sir William Cochran of Cowlon, knight. Lord Cochrane of Dundonald, by patent dated at Carisbrook Castle, (not Scarborough, as at Vol. I. p. 471.) to him and the heirs male of his body. See 12th May 1669.

27th December 1647. Sir James Carmichael of Carmichael, knight. Lord Carmichael. According to the first edition, quoting Diploma penes Com. de Hyndford, to him and his heirs male whatever, which was again ratified by King Charles II. by another patent with the same precedency contained in the former, dated at Perth, 3d January 1651. According to the list of creations in the Lovat case, p. 6. No. 33, there is a patent in the family of Hyndford, creating Sir James Carmichael of that ilk Lord Carmichael, and to the heirs male of his body, the 27th of December 1647. 1650-1660.

CHARLES II.

From 30th January 1649, to 6th February 1685.

8th December 1650. Alexander Sutherland of Duffus. Lord Duffus. Forfeited in 1715.

4th January 1651. Sir Robert Colvill of Cleish, knight. Lord Colvill of Ochiltree, to him and his heirs male. Dormant.

9th January 1651. Alexander Lindsay, Lord Lindsay of Balcarres. Earl of Balcarres, Lord Lindsay and Balneil, by patent dated at Perth, to him ejusque haeredibus masculis tallice et provisionis, in ejus infeofamentis expressis seu exprimendis. Mag. Sig. L. lviii. No. 3.

10th January 1651. Sir Andrew Rollo of Duncrub, knight. Lord Rollo of Duncrub, to him and his heirs male whatsoever.

6th February 1651, (not 1650 as at Vol. II. p. 39.) The Hon. Sir Alexander Seton, knight, second son of George, second Earl of Wintoun, Viscount of Kingston, to him and the heirs male of his body. Forfeited in 1715.

3d April 1651. Archibald Douglas, Earl of Angus, eldest son of William, first Marquis of Douglas. Earl of Ormond, Lord Bothwell and Hartside, to him and the heirs male of his second marriage. His only son of that marriage, Archibald, Earl of Ormond, obtained a new patent, dated at Whitehall 2d (not 20th, as at Vol. I. p. 597.) October 1661, creating him and his heirs male Earl of Forfar, Lord Wandale and Hartside. Mag. Sig. L. lx. No. 353. Merged in the dukedom of Douglas 1715, and in the dukedom of Hamilton 1761.

1651. Sir Thomas Ruthven of Freeland, knight. Lord Ruthven. Limitations not known, the patent being destroyed, but supposed to be to heirs general, as an heir general succeeded 1701.

4th September 1660. Walter Scot of Highchester, husband of Mary, Countess of Buccleuch. Earl of Tarras, Lord Aemoor and Campcastell, by patent dated at Whitehall, for his life only. Mag. Sig. L. lx. No. 3. Extinct in 1693.

10th September 1660. Lord Charles Gordon, third son of George, second Marquis of Huntly. Earl of Aboyne, Lord Gordon of Strathaven and Glenlivet, by patent dated at Whitehall, to him and the heirs male of his body for ever. Mag. Sig. L. lx. No. 4

1660-1661.

1st October 1660. Lieutenant-General John Middleton. Earl of Middleton, Lord Clermont and Fettercairn, to him et hæredibus suis cognomen et arma de Middleton gerentibus omni tempore futuro, with precedency from September 1656. Mag. Sig. L. lx. No. 9. Forfeited 1695.

20th December 1660. Æneas Macdonnell of Glengary. Lord Macdonell and Arrass, by patent dated at Whitehall, to him and the heirs male of his body. Mag. Sig. L. lx. No. 8. Extinct in 1680.

31st December 1660. His Royal Highness James, Duke of York, brother of the King. Duke of Albany, by patent dated at Whitehall, to him et hæredes ejus masculos ex corpore suo descendentes. Mag. Sig. L. lx. No. 7. Succeeded to the throne 1685.

31st December 1660. James Livingston, Viscount of Newburgh. Earl of Newburgh, Viscount of Kinnaird, and Lord Livingston of Flacraig, by patent dated at Whitehall, to him ejusque hæredes quoscunque. Mag. Sig. L. lx. No. 10.

19th January 1661. Lieutenant General Andrew Rutherford. Lord Rutherford, to him and the heirs male of his body, which failing, quamcunque aliam personam seu personas quas sibi quoad vixerit, quinetiam in articulo mortis, ad ei succedendum, ac fore ejus hæredes talliæ et provisionis in eadem dignitate, nominare et designare placuerit, secundum nominationem et designationem manu ejus subscribendam, subque provisionibus restrictionibus et conditionibus a dicto Andrea, pro ejus arbitrio, in dicta designatione exprimendis. Mag. Sig. L. lx. No. 14. See 2d February 1663. Dormant.

19th April 1661. Sir James Macgill of Cranston Riddel, baronet. Viscount of Oxfurd, and Lord Macgill of Cousland, to him ejusque hæredes masculos talliæ et provisionis quoscunque. Mag. Sig. L. lx. No. 5. Dormant or extinct. N. In the first edition, and in Robertson's Proceedings, 226, referred to at Vol. II. p. 346, the date is erroneously marked 1651.

23d May 1661. Henry Ingram of Temple Newsom. Viscount of Irvine, and Lord Ingram, by patent dated at Whitehall, to him and the heirs male of his body. Mag. Sig. L. lx. No. 12. Extinct in 1778.

10th June 1661. Sir William Bellenden of Broughton, knight. Lord Bellenden of Broughton, by patent dated at Whitehall, to him and the heirs male of his body. Mag. Sig. L. lx. No. 15. Resigned by him in favour of John Ker, fourth son of William, second Earl of Roxburghe, and his heirs of entail, 14th April 1671, confirmed by royal charter of 12th December 1673. Mag. Sig. L. lxiv. No. 208. Merged in the dukedom of Roxburghe 1804. Dormant or extinct since 1805.

17th August 1661. William Boyd, Lord Boyd. Earl of Kilmarnock, by patent dated at Whitehall, to him and his heirs male for ever. Mag. Sig. L. lx. No. 16. New charter of the earldom of Kilmarnock, with the title, 22d January 1707, to him and the heirs male of his body; which failing, to the heirs of entail and provision named or to be named by him; which failing, or in case no nomination is made, to his nearest legitimate heirs and assignees whatsoever. Mag. Sig. L. lxxxii. No. 120. Forfeited in 1746.

1661-1672.

17th August 1661. Sir James Livingston of Barncloich, knight. Viscount of Kilsyth, and Lord Campsie, by patent dated at Whitehall, to him and his heirs male. Mag. Sig. L. lx. No. 202. Forfeited 1715.

31st August 1661. Lieutenant-General David Leslie. Lord Newark, by patent dated at Whitehall, to him et hæredibus masculis ex corpore suo legitime procreat. Mag. Sig. L. lx. No. 58. Extinct.

1661. John Scrimgeour, Viscount of Dudhope. Earl of Dundee, Viscount of Dudhope, Lord Scrimgeour and Inverkeithing. Limitations unknown. Dormant or extinct since 1668.

2d February 1663. Andrew Rutherford, Lord Rutherford. Earl of Teviot, by patent dated at Whitehall, to him et hæredes ex corpore ejus procreatos seu procreandos. Mag. Sig. L. lx. No. 204. Extinct in 1664.

20th April 1663. James Fitzroy, Duke of Monmouth, natural son of the King. Duke of Buccleuch, Earl of Dalkeith, Lord Scott of Whitchester and Eskdale, by patent dated at Whitehall, to him et hæredes ejus masculos ex corpore suo, inter illum et Annam, Comitissam de Buccleuch, procreandos, quibus deficientibus, hæredes quoscunque suo corpore descenden. qui succedent in prædia et comitatu de Buccleuch. Mag. Sig. L. lx. No. 327.

12th May 1669. William Cochrane, Lord Cochrane of Dundonald. Earl of Dundonald, Lord Cochrane of Paisley and Ochiltree, by patent dated at Whitehall, to him ejusque hæredes masculos, quibus deficientibus, hæredes femelles natu maximas absque divisione, ex corpore ejus, et hæredes masculos dictarum hæredum femellarum natu maximarum, geren. omnimodo cognomen et insignia de Cochrane, quæ semper tenebuntur assumere omni tempore deinceps, quibus omnibus deficientibus, ejus proximos hæredes quoscunque. Mag. Sig. L. lxii. No. 87.

18th April 1672. Sir James Wemyss of Caskyberry, knight, husband of Margaret, Countess of Wemyss. Lord Burntisland, for his life only. Mag. Sig. L. lxiii. No. 161. Extinct 1683.

1st May 1672. John Maitland, Earl of Lauderdale. Duke of Lauderdale, and Marquis of March, to him and the heirs male of his body. Mag Sig. L. lxiii. No. 96. Extinct in 1682, when the earldom of Lauderdale devolved on his brother.

1673-1677. 2d February 1673. Sir Thomas Osborne of Kiveton, baronet of England. Viscount Osebura of Dunblane, to him and the heirs male of his body. Mag. Sig. L. lxiv. No. 67.

9th March 1675. Lord George Douglas, third son of William, first Marquis of Douglas. Earl of Dunbarton, and Lord Douglas of Ettrick, to him and the heirs male of his body. Mag. Sig. L. lxv. No. 31. Extinct in the second Earl.

9th September 1675. Charles Lennox, Duke of Richmond, natural son of the King. Duke of Lennox, Earl of Darnley, and Lord of Torboltoun, by patent dated at Windsor, to him and the heirs male lawfully descending of his body. Mag. Sig. L. lxiv. No. 243.

7th February 1676. John Murray, Earl of Atholl. Marquis of Atholl, Earl of Tullibardine, Viscount of Balquhidar, Lord Murray, Balvenie, and Gask, to him and the heirs male of his body. Mag. Sig. L. lxv. No. 50. See 30th June 1703.

20th June 1677. Hon. Sir John Keith of Keithhall, knight, third son of William, sixth Earl Marischal. Earl of Kintore, Lord Keith of Inverury and Keithhall, to him and the heirs male of his body. Mag. Sig. L. lxvi. No. 83. Resigned by him, and new patent or charter of the estates and honours, dated at Kensington, 17th December 1694, granted to him for life, et Gulielmo Domino Inverury, filio legitimo natu maximo procreat. inter eum et Margaritam Comitissam de Kintore, ejus sponsam, et hæredibus masculis procreand. inter dict. Gulielmum Dominum Inverury, et Dominam Catharinam Murray Dominam Inverury, ejus sponsam, in feodo, quibus deficien. hæredibus masculis ex corpore præfati Domini Inverury in quovis subsequente matrimonio, quibus deficien. Georgio Keith filio legitimo natu tertio dicti Comitis de Kintore, et hæredibus masculis ex ejus corpore legitime procreand. quibus deficien. Carolo Keith, filio legitimo natu quarto præfati Comitis, et hæredibus masculis de ipsius corpore legitime procreand. quibus etiam deficien. quibus aliis hæredibus masculis per dictum Joannem, Comitem de Kintore, legitime procreand. et hæredibus masculis ex iis legitime procreand. respective, quibus adhuc deficien. Georgio Mariscallo Comiti, præfati Joannis Comitis de Kintore fratri germano natu maximo, et hæredibus masculis de corpore dicti Comitis legitime procreat. seu procreand. quibus deficien. filiabus seu hæredibus femellis ex corpore præfati Gulielmi Domini Inverury, legitime procreat. seu procreand. et hæredibus masculis et femellis de corporibus dict. filiarum descenden. successive, quibus deficien. filiabus et hæredibus femellis per prænominat. Georgium Keith, dicti Comitis de Kintore filium natu tertium, legitime procreand. ac hæredibus masculis sive femellis de corporibus prædict. filiarum descenden. successive, quibus deficien. filiabus et hæredibus femellis ex corpore dicti Caroli Keith, præfati Comitis filii legitime natu quarti, legitime procreand. et hæredibus masculis seu femellis ex corporibus dict. filiarum legitime descenden. successive, quibus adhuc deficien. Dominæ Joannæ Keith, filiæ legitimæ natu maximæ præfati Comitis de Kintore, et nunc sponsæ Gulielmi Forbes, feoditarii de Monimusk, et hæredibus masculis sive femellis ex ejus corpore legitime procreat. seu procreand. successive; quibus deficien. Dominæ Margaretæ Keith, dicti Comitis filiæ legitimæ natu secundæ, et hæredibus masculis seu femellis de ejus corpore legitime procreand. successive, quibus deficien. cuivis aliæ filiæ de proprio corpore præfati Comitis legitime procreand. et hæredibus masculis et femellis de corpore prædict. filiarum descenden. successive, quibus deficien. filiabus et hæredibus femellis de prænominato Georgio Mariscallo Comite, vel Gulielmo Domino Keith, filio suo unigenito, legitime procreand. et hæredibus masculis et femellis de corporibus dict. filiarum descenden. successive, (dictis filiabus omnimodo in casibus supra mentionat. absque divisione succedentibus,) quibus deficien. quibuscunque personæ seu personis et eorum hæredibus per præfatum Joannem Comitem de Kintore, quovis tempore vitæ suæ, ac etiam in articulo mortis, sibi in dict. statu succedere nominandis et designandis, per quodvis scriptum sive nominationem manu sua signatum, sub terminis, qualificationibus, reservationibus, conditionibus, et restrictionibus, inibi exprimendis, et non aliter: Quas quidem conditiones, dictæ personæ sic designandæ perimplere tenebuntur, et dictam nominationem seu scriptum tanti fore roboris et effectus ac si hic et in infeoffamentis desuper sequend. insererentur; et deficiente tali nominatione, adeo ut nihil tale tempore decessus præfati Comitis de Kintore, existere contigerit, vel si dict. scriptum etiamsi confectum per prædict. Comitem deinceps roborari seu innovari contigerit, vel si personæ sic nominand. et designand. mortem appetierint et deficerint, in eo casu præfati Joannis Comitis de Kintore propinquioribus et legitimis hæredibus et assignatis quibuscunque. Mag. Sig. L. lxxiii. No. 206. R. 1677.

28th June 1677. Sir John Campbell of Glenurchy, baronet. Earl of Caithness, Viscount of Breadalbane, Lord Sinclair of Berriedale and Glenurchy, by patent dated at Whitehall, to him and the heirs male of his body, vel in optione dicti Joannis Campbell, quemcunque ex ejus filiis junioribus quem sibi placuerit, quocunque tempore deinceps, vel etiam in articulo mortis, nominare et designare scripto sub ejus manu, succedere sibi in dicto comitatu Cathaniæ, titulo honore et dignitate antedicto, ejusque hæredes masculos, quibus deficientibus, dicti Joannis Campbell proximos legitimos hæredes masculos quoscunque. Mag. Sig. L. lxvi. No. 84. The title of Earl of Caithness being adjudged to the heir male of the old Earls of Caithness, Sir John Campbell obtained a patent, 13th August 1681, creating him Earl of Breadalbane and

1682. Holland, Viscount of Tay and Paintland, Lord Glenurchy, Benederaloch, Ormelie, and Weik, with precedency from 28th June 1677, to him and whichever of his sons of the first marriage he by writing under his hand at any time of his life might think proper to designate, and the heirs male to be procreated of the body of the son so designated, which failing, to the heirs male of his own body; which failing, to his nearest legitimate heirs whatsoever. Mag. Sig. L. lxviii. No. 264.

29th May 1680. John Leslie, Earl of Rothes, high chancellor of Scotland. Duke of Rothes, Marquis of Ballinbreich, Earl of Leslie, Viscount of Lugtoun, Lord Auchmontie and Caskieberry, by patent dated at Windsor, to him and the heirs male of his body. Mag. Sig. L. lxvii. No. 117. Extinct in 1681, when the earldom of Rothes went to his daughter.

27th January 1681. Sir Robert Nairn of Strathurd, knight. Lord Nairn, by patent dated at Whitehall, to him for life, and after his decease to Lord William Murray, fourth son of John, first Marquis of Atholl, and the heirs to be procreated betwixt him and Margaret Nairn, only daughter of the said Lord Nairn, quo deficiente matrimonio in quemcunque aliam filium dicti Marchionis de Atholl, cui dictam Dominam Margaretam Nairn, nubere contigerit, et hæredes inter illos succedentes terris et statui dicti Roberti, in feofamentis earundem illi conficiend. content. tantummodo, seclusis omnibus aliis talliæ hæredibus inibi memorat. Mag. Sig. L. lxvii. No. 179. Forfeited in 1715.

12th May 1681. Sir Richard Graham of Netherby, baronet of England. Viscount of Preston, and Lord Graham of Esk, by patent dated at Windsor, to him and the heirs male of his body for ever. Mag. Sig. L. lxvii. No. 251. Extinct in 1739.

17th May 1681. Charles Cheyne of Chelsea. Viscount of Newhaven, and Lord Cheyne, by patent dated at Windsor, to him and the heirs male of his body. Mag. Sig. L. lxvii. No. 251. Extinct in 1738.

11th February 1682. William Douglas, Earl of Queensberry. Marquis of Queensberry, Earl of Drumlanrig and Sanquhar, Viscount of Nith, Torthorwald, and Ross, Lord Douglas of Kinmonth, Middlebie, and Dornock, by patent dated at Whitehall, to him and his heirs male whatsoever in all future time. Mag. Sig. L. lxviii. No. 94. See 3d November 1684.

30th November 1682. Sir George Gordon of Haddo, baronet, high chancellor of Scotland. Earl of Aberdeen, Viscount of Formartine, Lord Haddo, Methlick, Tarves, and Kellie, to him et hæredes masculos ex suo corpore. Mag. Sig. L. lxviii. No. 250, Printed in Crawford's Officers of State, 426.

21st December 1682. Colonel John Churchill. 1682-1684.
Lord Churchill of Aymouth, by patent dated at Whitehall, to him and the heirs male of his body. Mag. Sig. L. lxviii. No. 249. Extinct in 1722.

28th December 1682. Sir George Kinnaird of Inchture, knight. Lord Kinnaird of Inchture, by patent dated at Whitehall, to him and the heirs male of his body. Mag. Sig. L. lxviii. No. 116, 131.

1st November 1684. George Gordon, Marquis of Huntly. Duke of Gordon, Marquis of Huntly, Earl of Huntly and Enzie, Viscount of Inverness, Lord Badenoch, Lochaber, Strathaven, Balmore, Auchindoun, Garthie, and Kincardine, by patent dated at Whitehall, to him and the heirs male of his body. Mag. Sig. L. lxix. No. 148.

3d November 1684. William Douglas, Marquis of Queensberry. Duke of Queensberry, Marquis of Dumfries-shire, Earl of Drumlanrig and Sanquhar, Viscount of Nith, Torthorwald, and Ross, Lord Douglas of Kinmonth, Middlebie, and Dornock, by patent dated at Whitehall, to him and the heirs male of his body, with this provision, that the grant to and acceptation of this patent by the said Marquis, now Duke of Queensberry, and the heirs male of his body, neutiquam derogare aut præjudicare diplomati, perprius ipsi et hæredibus suis masculis quibuscunque, de titulo et dignitate Marchionis de Queensberry, concesso, aliisque titulis et dignitatibus inibi expressis, quas, deficientibus hæredibus masculis ex suo corpore, nequaquam præjudicari aut innovari hoc nostro diplomate declaramus. Mag. Sig. L. lxix. No. 149. These titles, (not those of Marquis of Queensberry, Earl of Queensberry, Viscount of Drumlanrig, Lord Douglas of Hawick and Tibberis,) resigned by the second Duke, and new patent of them, dated 17th June 1706, granted de novo to him and his heirs of entail, male or female, named or constituted, or to be named and constituted, by the said Duke, to succeed to him in his living and estate of Queensberry, in virtue of the disposition and rights of tailzie of the said living and estate of Queensberry, granted or to be granted by the said Duke, with this proviso, that such heirs of entail should be descended from the body of William, first Earl of Queensberry. Mag. Sig. L. lxxxii. No. 86. On the death of William, fourth Duke of Queensberry, in December 1810, the titles of Duke of Queensberry, Marquis of Dumfries-shire, Earl of Drumlanrig and Sanquhar, Viscount of Nith, Torthorwald, and Ross, Lord Douglas of Kinmonth, Middlebie, and Dornock, merged in the dukedom of Buccleuch; and the titles of Marquis and Earl of Queensberry, Viscount of Drumlanrig, and Lord Douglas of Hawick and Tibberis, devolved on Sir Charles Douglas of Kelhead, baronet.

KING JAMES VII.

From 6th February 1685, *to December* 1688.

14th April 1685. Hon. John Drummond, secretary of state, second son of James, third Earl of Perth. Viscount of Melfort, and Lord Drummond of Gilestoun, by patent dated at Whitehall, to him et hæredes masculos ex ejus corpore in secundo maritagio, quibus deficientibus, in hæredes masculos quoscunque ex ejus corpore. Mag. Sig. L. lxx. No. 33. See 12th August 1686.

15th April 1685. Sir George Mackenzie of Tarbat, baronet, lord clerk register. Viscount of Tarbat, Lord Macleod and Castlehaven, by patent dated at Whitehall, to him and the heirs male of his body. Mag. Sig. L. lxx. No. 39. See 1st January 1703.

25th July 1685. Francis Abercromby, husband of Anne, Baroness Sempill. Lord Glasford, for his life only. Mag. Sig. L. lxx. No. 49. Extinct of course at his death.

20th October 1685. Hon. Robert Spencer, next brother of Henry, first Earl of Sunderland. Viscount of Teviot, to him and the heirs male of his body. Mag. Sig. L. lxx. No. 73. Extinct in him.

12th August 1686. John Drummond, Viscount of Melfort. Earl of Melfort, Viscount of Forth, Lord Drummond of Riccartoun, Castlemains, and Gilstoun, by patent dated at Windsor, to him ejusque hæredes masculos ex suo corpore in secundo ejus matrimonio, quibus deficientibus, in hæredes ejus masculos de suo corpore quoscunque. Mag. Sig. L. lxx. No. 148. Forfeited 1695.

16th August 1686. Lord Charles Murray, second son of John, first Marquis of Atholl. Earl of Dunmore, Viscount of Fincastle, Lord Murray of Blair, Moulin, and Tillemot, by patent dated at Windsor, to him and the heirs male of his body for ever. Mag. Sig. L. lxx. No. 117.

16th August (not 6th September as at Vol. II. p. 552.) 1686. Hon. General William Drummond, fifth son of John, Lord Maderty. Viscount of Strathallan, and Lord Drummond of Cromlix, by patent dated at Windsor, to him et hæredes masculos de ejus corpore legitime procreatos seu procreandos, quibus deficientibus, alios ejus hæredes masculos. Mag. Sig. L. lxx. No. 149. Forfeited 1746.

12th November 1688. Major-General John Grahame of Claverhouse. Viscount of Dundee, and Lord Grahame of Claverhouse, by patent dated at Whitehall, to him et hæredes masculos ex ejus corpore legitime procreatos seu procreandos, quibus deficientibus, in alios ejus hæredes masculos. Mag. Sig. L. lxxi. No. 89. R. Forfeited 1715.

KING WILLIAM II. *and* QUEEN MARY II. *jointly, from December* 1688 *to* 21*st December* 1694; *and* KING WILLIAM II. *alone, from* 21*st December* 1694 *to* 8*th March* 1702.

8th April 1690. George Melville, Lord Melville. Earl of Melville, Viscount of Kirkaldy, Lord Raith, Monymail, and Balwearie, by patent dated at Kensington, to *him* and the heirs male of his body for ever. Mag. Sig. L. lxxii. No. 51. Merged in the earldom of Leven.

21st April 1690. Sir James Dalrymple of Stair, baronet, president of the Court of Session. Viscount of Stair, Lord Glenluce and Stranraer, by patent dated at Kensington, to him and the heirs male of his body, et hæredes dict. suorum hæredum. Mag. Sig. L. lxxii. No. 59. See 8th April 1703.

26th December 1690. Sir Patrick Home of Polwarth, baronet. Lord Polwarth, by patent dated at Kensington, to him and the heirs male of his body, et hæredes dict. suorum hæredum. Mag. Sig. L. lxxii. No. 97. See 23d April 1697.

17th December 1694. John Hay, Earl of Tweeddale, high chancellor of Scotland. Marquis of Tweeddale, Earl of Gifford, Viscount of Walden, and Lord Hay of Yester, by patent dated at Kensington, to him and his heirs male whatsoever. Mag. Sig. L. lxxiii. No. 211.

3d January 1696. Lord George Hamilton, fifth son of William and Anne, Duke and Duchess of Hamilton. Earl of Orkney, Viscount of Kirkwall, and Lord Dechmont, by patent dated at Kensington, to him et hæredes masculos de ejus corpore; quibus deficientibus, hæredes de ejus corpore quoscunque. Mag. Sig. L. lxxiv. No. 14.

27th July 1696. John Murray, Lord Murray, eldest son of John, Marquis of Atholl. Earl of Tullibardine, Viscount of Glenalmond, and Lord Murray, by patent dated at the Castle of Altre near Aeth, for his life only. Mag. Sig. L. lxxiv. No. 71. Extinct in 1724.

4th December 1696. Sir Thomas Livingston, baronet, commander-in-chief of the forces in Scotland. Viscount of Teviot, by patent dated at Kensington, to him and the heirs male of his body. Mag. Sig. L. lxxiv. No. 79. Extinct in 1711.

14th April 1697. Lord John Hamilton, fourth son of William and Anne, Duke and Duchess of Hamilton. Earl of Raglen, Viscount of Riccartoun, and Lord Hillhouse, by patent dated at Kensington, to him and the heirs male of his body; which failing, to the heirs whatsoever of his body. Mag. Sig. L. lxxiv. No. 97. Merged in the dukedom of Queensberry 1778, and became extinct 1810.

20th April 1697. Lord William Douglas, se-

1697. cond son of William, first Duke of Queensberry. Earl of March, Viscount of Peebles, and Lord Douglas of Niedpath, Lyne, and Munard, to him, et hæredes masculos de ejus corpore; quibus deficientibus, alios ejus hæredes masculos et talliæ contentos in ejus infeofamentis terrarum et Dominii de Niedpath.' Mag. Sig. L. lxxiv. No. 98. By the marriage-contract of the said Lord William Douglas with Lady Jane Hay, bearing date 12th October 1693, his father William, Duke of Queensberry, bound and obliged himself, his heirs and successors, duly and lawfully to infeft and seize the said Lord William Douglas, and his heirs male and of tailzie after mentioned, in the lordship of Niedpath, &c. and that by resignation thereof in favour of the said Lord William Douglas, and the heirs male to be procreated betwixt him and the said Lady Jane Hay, his promised spouse, which failing, to the heirs male of his body to be procreated in any other lawful marriage, which failing, to the other heirs of tailzie after specified, according to the order underwritten; and accordingly the Duke granted procuratory for resigning the lordship of Niedpath, and other estates therein described, in favour and for new infeftment of the same, to be made and granted to the said Lord William Douglas, and the heirs male to be procreated betwixt him and Lady Jane Hay; which failing, to his heirs male to be lawfully procreated by him in any other lawful marriage; which failing, to James, Earl of Drumlanrig, and his heirs male lawfully procreated or to be procreated of his body; which failing, to the said Duke of Queensberry himself, and the other heirs male to be procreated of his body; which failing, to Lady Anna Douglas his lawful daughter, and her heirs male lawfully to be procreated of her body; which failing, to any other daughter to be procreated of the body of the said Duke of Queensberry successive without division, (upon the conditions and provisions under written) and to the heirs male of their bodies; which failing, to such person or persons as the said William, Duke of Queensberry, shall nominate and appoint to succeed to him in the lands, baronies, and other above mentioned, by any nomination or paper to be subscribed with his hand at any time during his life, ac etiam in articulo mortis, and in such terms, and upon such qualifications, reservations, and conditions as shall be therein particularly expressed, and no otherways; and which conditions the person so to be designed to succeed to the said estate shall be holden and obliged to perform and fulfil; and by which nomination there shall be power reserved to the said Lord Duke of Queensberry to exclude such of the heirs of tailzie before and after mentioned, substitute after the heir male of Lord William's body, as his Grace shall think fit; and the foresaid nomination and power shall be as sufficient as if the same were engrossed in this present contract and infeftments to follow thereupon; and failing of any such nomination, so that there shall be no such paper extant the time of the said William Duke of Queensberry his decease, or if it shall happen to be revoked or altered by him during his life, or that the person so to be nominate and designed shall happen to fail, then, and in that case, the lands, baronies, and others above mentioned, are to descend and fall to the eldest daughter and heir female to be procreated of the said Lord William Douglas his body, in this or any other marriage, successive without division, and to the heirs male lawfully to be procreated of their bodies; which failing, to the eldest daughter of the said James, Earl of Drumlanrig, his brother, successive without division, and to the heirs male lawfully to be procreated of their bodies; which failing, to the eldest daughter and heir female to be procreated of the said Lady Anna Douglas, successive without division, and the heirs male of their bodies; which failing, to the eldest son procreated betwixt the deceased Lady Mary Douglas, Countess of Galloway, eldest sister to the said Duke of Queensberry, and ——, Earl of Galloway, her husband, and the heir male of their eldest son's body, with this provision, that if the eldest son refuse to renounce his own sirname, title, and arms, and to assume the sirname of Douglas, with the arms of the house of Queensberry, and a proper distinction, then to the next son of that marriage, and the heirs male of his body, which also failing, to the third and remanent youngest sons, successive in order after other, and the heirs male of their bodies; always under the provision above specified, of renouncing their own sirname, title, and arms, and assuming the said sirname of Douglas, and the arms of the house of Queensberry; wherein if they fail, then to the oldest son lawfully procreated, or to be procreated of the body of Lady Katharine Douglas, Lady Kelhead, and the heirs male of his body; which failing, to her second and remanent sons, successive in order after other, and the heirs male of their bodies; which failing, to the eldest son lawfully procreated or to be procreated of the body of Lady Henrietta Douglas, Lady Lag, third sister of the said Duke of Queensberry, and the heirs male of his body; which failing, to her second and remanent sons, successive in order after others, and the heirs male of their bodies; which failing, to the eldest son lawfully procreated or to be procreated of the body of Lady Margaret Douglas, Lady Applegirth, and fourth sister to the said Duke of Queensberry, and the heirs male of her body; which failing, to her second and remanent sons, respective in order after others, and the heirs male of their bodies; which failing, to Sir James Douglas of Kelhead, knight, and the heirs male procreated or to be procreated of his body; which fail- 1697.

1697-1701. ing, to William Douglas of Dornock, and the heirs male procreated or to be procreated of his body; which failing, to the said William, Duke of Queensberry, his heirs male whatsoever; which failing, to his heirs and assignees whatsoever. On the procuratory contained in the contract of marriage and entail, Lord William Douglas obtained a charter of resignation of the lordship of Niedpath and others, wherein the course of succession and the clauses in the entail are repeated, and was thereupon infeoffed. Merged in the dukedom of Queensberry 1778, and in the earldom of March 1810.

23d April 1697 Patrick Home, Lord Polwarth. Earl of Marchmont, Viscount of Blasonberrie, Lord Polwarth of Polwarth, Redbraes, and Greenlaw, by patent dated at Kensington, to him ejusque hæredibis masculis quibuscunque omni tempore futuro. Mag. Sig. L. lxxiv. No. 99. Dormant.

31st December 1697. Thomas Hay of Balhousie. Viscount of Duplin, by patent dated at Kensington, to him and the heirs male of his body; which failing, to his heirs of entail. Mag. Sig. L. lxxiv. No. 144. Merged in the earldom of Kinnoul 1709.

24th (not 28th as at Vol. I. p. 585, 589.) June 1698. James Ogilvy, Lord Deskford, eldest surviving son of James, third Earl of Findlater. Viscount of Seafield and Lord Ogilvy of Cullen, by patent dated at Kensington, to him and the heirs male of his body; which failing, aliis ejus hæredibus talliæ continendis in cavta terrarum ejus et prædiorum secundum signaturam regia nostra manu munitam de data cum præsentibus. Mag. Sig. L. lxxv. No. 8. See 24th June 1701.

31st January 1699. David Boyle of Kelburn. Lord Boyle of Kelburn, Stewartoun, Cumbra, Largs, and Dalry, by patent dated at Kensington, to him and the heirs male of his body; which failing, ejus alios hæredes masculos propinquiores quoscunque. Mag. Sig. L. lxxv. No 82. See 12th April 1703.

1st June 1699. Sir David Colyear, baronet of England. Lord Portmore and Blackness, by patent dated at Kensington, to him and the heirs male of his body. Mag. Sig. L. lxx. No. 117. See 13th April 1703.

1st April 1700. Archibald Primrose of Dalmeny. Viscount of Rosebery, Lord Primrose and Dalmeny, by patent dated at Kensington, to him et hæredes masculos de ejus corpore, quibus deficientibus, hæredes femellas de ejus corpore, quibus etiam deficientibus, hæredes ejus talliæ in terris de Rosebery. Mag. Sig. L. lxxvi. No. 61. See 10th April 1703.

3d June 1701. Archibald Campbell, Earl of Argyll. Duke of Argyll, Marquis of Kintyre and Lorn, Earl of Campbell and Cowal, Viscount of Lochow and Glenila, Lord Inverary, Mull, Morven, and Tiry, by patent, dated at Kensington, to him and his heirs male whatsoever. Mag. Sig. L. lxxvii. No. 76. 1701-1703.

23d June 1701. Robert Kerr, Earl of Lothian. Marquis of Lothian, Earl of Ancrum, Viscount of Brien, Lord Kerr of Newbottle, Oxnam, Jedburgh, Dolphingstoun, and Nisbet, by patent dated at Kensington, to him and the heirs male of his body; which failing, aliis hæredibus talliæ illi in statu omni tempore futuro successuris. Mag. Sig. L. lxxvii. No. 77.

24th June 1701. William Johnston, Earl of Annandale and Hartfell. Marquis of Annandale, Earl of Hartfell, Viscount of Annand, and Lord Johnston of Lochwood, Lochmabēn, Moffatdale, and Evandale, by patent dated at Kensington, to him et hæredibus suis masculis quibuscunque, in suis prædiis et statu omni tempore futuro successuris. Mag. Sig. L. lxxvii. No. 78. Dormant.

24th June 1701. James Ogilvy, Viscount of Seafield. Earl of Seafield, Viscount of Reidhaven, Lord Ogilvy of Deskford and Cullen, by patent dated at Kensington, to him and the heirs male of his body, which failing, to his other heirs of entail succeeding to him in his lands and baronies. Mag. Sig. L. lxxvii. No. 88.

25th July (not June as at Vol. I. 755, 759,) 1701. John Carmichael. Lord Carmichael. Earl of Hyndford, Viscount of Inglisberry, and Nemphlar, and Lord Carmichael of Carmichael, by patent dated at Kensington, to the first Earl, et hæredibus suis masculis et talliæ, illi in terris et statu suo succedentibus, secundum ipsius jura et infeofamenta earumdem. Mag. Sig. L. lxxviii. No. 11.

QUEEN ANNE.

From 8th March 1702 to the Union 1st May 1707.

1st January 1703. George Mackenzie, Viscount of Tarbat. Earl of Cromarty, Viscount of Tarbat, Lord Macleod and Castlehaven, by patent dated at St James's, to him et hæredibus suis masculis et talliæ. Mag. Sig. L. lxxix. No. 108. Forfeited in 1746.

8th April 1703. John Dalrymple, Viscount of Stair. Earl of Stair, Viscount Dalrymple, Lord Newliston, Glenluce, and Stranraer, by patent dated at St James's, to him et hæredes masculos sui corporis, quibus deficientibus, hæredes masculos defuncti Jacobi, Vicecomitis de Stair. Mag. Sig. L. lxxix. No. 103. New patent 27th February 1707, ratified by parliament 21st March 1707, to John, second Earl of Stair, and the heirs male of his body; which failing, to such person or persons descended of the said James, Viscount of Stair, as the said Earl should nominate or appoint by writing under his hand, at any time during his life; and failing such nomination, or the persons so nominated, to William Dal-

1703. rymple, the said Earl's immediate younger brother, and the second son procreated or to be procreated of the marriage betwixt the said William Dalrymple and Penelope, Countess of Dumfries, and the heirs male of the body of such second son; which failing, to the third, fourth, and other younger sons of that marriage, in the order of seniority, and the heirs male of their bodies respectively, so as whenever any heir male who, by virtue of the entail and destination might have right to both the estate and dignity of Dumfries, and the estate and dignity of Stair, should happen to have two sons, the succession to the said estates and honours should always divide, and the estate and dignity of the family of Stair should fall to the second or younger sons, and the heirs male of their bodies; which failing, to other substitutes; which failing, to the nearest heirs and assignees whatsoever of the said John, Earl of Stair. Mag. Sig. L. lxxxii. No. 127.

10th (not 18th as at Vol. I. p. 443.) April 1703. Archibald Douglas, Marquis of Douglas. Duke of Douglas, Marquis of Angus and Abernethy, Viscount of Jedburgh Forest, and Lord Douglas of Bonkill, Prestoun, and Robertoun, by patent dated at St James's, to him and the heirs male of his body. Mag. Sig. L. lxxix. No. 109. Extinct in 1761.

10th April 1703. Archibald Primrose, Viscount of Rosebery. Earl of Rosebery, Viscount of Innerkeithing, Lord Dalmeny and Primrose, by patent dated at St James's, to him et hæredes masculos sui corporis, quibus deficien. hæredes femellas sui corporis. Mag. Sig. L. lxxix. No. 104.

10th April 1703. John Crawford of Kilbirny, Viscount of Mount Crawford, Lord Kilbirny, Kingsburn, and Drumry, changed by patent dated at St James's, 26th November 1703, to Viscount of Garnock, Lord Kilbirny, and Drumry, to him and the heirs male of his body, which failing to his other nearest heirs male. Mag. Sig. L. lxxx. No. 25. Merged in the earldom of Crawford 1749.

12th April 1703. David Boyle, Lord Boyle. Earl of Glasgow, Viscount of Kelburn, Lord Boyle of Stewartoun, Cumbraes, Finnick, Largs, and Dalry, by patent dated at St James's, to him and his heirs male whatsoever. Mag. Sig. L. lxxix. No. 111.

13th April 1703. David Colyear, Lord Portmore. Earl of Portmore, Viscount of Milsington, and Lord Colyear, by patent dated at St James's, to him and the heirs male of his body. Mag. Sig. L. lxxx. No. 33.

14th April 1703. Sir James Stewart of Bute, baronet. Earl of Bute, Viscount of Kingarth, Lord Mountstuart, Cumra, and Inchmarnock, by patent dated at St James's, to him and his heirs male whatsoever. Mag. Sig. L. lxxix. No. 113.

15th (not 5th as at Vol. I. p. 744.) April 1703. Charles Hope of Hopetoun. Earl of Hopetoun, Viscount of Aithrie, and Lord Hope, by patent dated at St James's, in eum ejusque hæredes masculos de suo corpore, quibus deficientibus, hæredes femellas sui corporis. Mag. Sig. L. lxxix. No. 102. R. 1703-1707.

30th June 1703. John Murray, Marquis of Atholl. Duke of Atholl, Marquis of Tullibardine, Earl of Strathtay and Strathardle, Viscount of Balquhidar, Lord Murray, Balvenie, and Gask, by patent dated at Windsor Castle, to the first Duke, and the heirs male of his body, which failing, to the heirs male of the deceased John, Marquis of Atholl, his father. Mag. Sig. L. lxxix. No. 110.

30th November 1703. Sir James Primrose of Carrington, baronet. Viscount of Primrose Lord Primrose and Castlefield, by patent dated at St James's, to him ejusque hæredem masculum sui corporis, quibus deficien. hæredem masculum Domini Gulielmi Primrose, sui patris. Mag. Sig. L. lxxx. No. 23. Appears to have merged in the earldom of Rosebery 1741, if not extinct.

29th March 1706. Lord Henry Scott, second son of Anne, Duchess of Buccleuch. Earl of Delorain, Viscount of Hermitage, and Lord Scott of Goldielands, by patent to him and the heirs male of his body. Mag. Sig. L. lxxxii. No. 64. Extinct in 1807.

17th June 1706. Lord Charles Douglas, second son of James, second Duke of Queensberry. Earl of Solway, Viscount of Tibberis, Lord Douglas of Lockerby, Dalveen, and Thornhill, to him and the heirs male of his body, which failing, to Lord George Douglas, third son of the said Duke, and the heirs male of his body, which failing, to the younger son procreated or to be procreated of the body of the body of the said Duke, dignitati et statui de Queensberry non succedend. et hæredes masculos de ejus corpore. Mag. Sig. L. lxxxii. No. 101. Extinct in 1778, after merging in the dukedom of Queensberry 1711.

19th October 1706. Lord Archibald Campbell, second son of Archibald, first Duke of Argyll. Earl and Viscount of Ilay, Lord Oransay, Dunoon, and Arrase, to him and the heirs male of his body. Mag. Sig. L. lxxxii. No. 103. Merged in the dukedom of Argyll 1743, and became extinct in 1761.

24th April 1707. James Graham, Marquis of Monrose. Duke of Montrose, Marquis of Graham and Buchanan, Earl of Kincardine, Viscount of Dundaff, and Lord Aberruthven, Mugdock, and Fintrie, to him et hæredes masculos ex suo corpore, quibus deficien. hæredes titulo et dignitati Marchionis de Montrose, per priora diplomata, prædecessoribus dicti Jacobi Marchionis de Montrose, facta et concessa, succedere provisos. Mag. Sig. L. lxxxii. No. 164. R.

1707. 25th April 1707. John Ker, Earl of Roxburghe. Duke of Roxburghe, Marquis of Beaumont and Cessfurd, Earl of Kelso, Viscount of Broxmouth, and Lord Ker of Cessfurd and Cavertoun, to him ejusque hæredes masculos de suo corpore, quibus deficientibus, aliosh æredes titulo et dignitati Comitis de Roxburghe, per priora diplomata prædecessoribus dicti Joannis Comitis de Roxburghe, eatenus facta et concessa, succedere destinatis. Mag. Sig. L. lxxxii. No. 10. 1707.

No. II.—DECREET OF RANKING OF THE NOBILITY OF SCOTLAND, 5th March 1606.

The Editor not having found the Decreet in the Records, this List is taken from "Various Tracts concerning the Peerage of Scotland, by James Carmichael," 4to, Edinburgh, 1791; but doubts may be entertained of its accuracy, as the titles of Earl of Wintoun and Lord Somerville, existing peerages at that period, do not appear therein.

Duke of Lennox
Marquis of Hamilton
Marquis of Huntly
Earl of Angus
Earl of Argyll
Earl of Crawford
Earl of Errol
Earl Marischal
Earl of Sutherland
Earl of Marr
Earl of Rothes
Earl of Morton
Earl of Menteth
Earl of Eglintoun
Earl of Montrose
Earl of Cassillis
Earl of Caithness
Earl of Glencairn
Earl of Buchan *
Earl of Moray
Earl of Orkney
Earl of Atholl
Earl of Linlithgow
Earl of Home
Earl of Perth
Earl of Dunfermline
Earl of Dunbar
Lord Lindesay
Lord Forbes
Lord Glamis
Lord Fleming
Lord Salton
Lord Gray
Lord Ochiltree
Lord Cathcart
Lord Carlyle
Lord Sanquhar
Lord Yester
Lord Semple
Lord Sinclair
Lord Herries
Lord Elphinston
Lord Maxwell
Lord Oliphant
Lord Lovat
Lord Ogilvy
Lord Borthwick
Lord Ross
Lord Boyd
Lord Torphichen
Lord Paisley
Lord Newbottle
Lord Thirlestane
Lord Spynie
Lord Roxburgh
Lord Lindores
Lord Loudoun
Lord Dirletoun
Lord Kinloss
Lord Abercorn
Lord Balmerinoch
Lord Murray of Tullibardine
Lord Colvill of Culross
Lord Scone

Total, 1 Duke, 2 Marquisses, 24 Earls, and 37 Barons; in all 64 Peers.

* By decreet of the Court of Session, 25th July 1628, it was found that the Earl of Buchan had precedency of the Earls of Eglintoun, Montrose, Cassillis, Caithness, and Glencairn, ratified by act of Parliament 20th June 1633.

No. III.—LIST OF PEERS WHO SAT AND VOTED IN THE LAST SESSION OF THE LAST PARLIAMENT OF SCOTLAND,

(From 3d October 1706, to 25th March 1707,)

When the Treaty of Union was discussed and concluded; those that supported it being marked S. *and those that opposed it* O.

Duke of Hamilton, O.
Duke of Queensberry, Lord High Commissioner, could not vote as representing the Sovereign.
Duke of Argyll, S.
Duke of Atholl, O.
Duke of Montrose, S.
Duke of Roxburghe, S.
Marquis of Tweeddale, S.
Marquis of Lothian, S.
Marquis of Annandale, O.
Earl of Crawford, S.
Earl of Errol, O.
Earl Marischal, O.
Earl of Sutherland, S.
Earl of Marr, S.
Earl of Rothes, S.
Earl of Morton, S.
Earl of Buchan; voted on several questions in support of the Union, but on more in opposition thereto.
Earl of Glencairn, S.
Earl of Eglintoun; voted sometimes in support of the Union, at other times against that treaty.
Earl of Caithness, O.
Earl of Wigtoun, O.
Earl of Strathmore, O.
Earl of Abercorn, S.
Earl of Haddington, S.
Earl of Galloway, O.
Earl of Lauderdale, S.
Earl of Loudoun, S.
Earl of Wemyss, S.
Earl of Dalhousie, S.
Earl of Findlater, S.
Earl of Leven, S.
Earl of Selkirk, O.
Earl of Northesk, S.
Earl of Kincardine, O.
Earl of Balcarres, S.
Earl of Forfar, S.
Earl of Kilmarnock, S.
Earl of Kintore, S.
Earl of Dunmore, S.
Earl of Marchmont, S.
Earl of Seafield, S.
Earl of Hyndford, S.
Earl of Cromarty, S.
Earl of Stair, S.
Earl of Rosebery, S.
Earl of Glasgow, S.
Earl of Hopetoun, S.
Earl of Delorain, S.
Earl of Ilay, S.
Viscount of Stormont, O.
Viscount of Kilsyth, O.
Viscount of Duplin, S.
Viscount of Garnock, S.
Lord Forbes, S.
Lord Salton, O.
Lord Sempill, O.
Lord Elphinston, S.
Lord Oliphant, O.
Lord Ross, S.
Lord Torphichen, S.
Lord Balmerinoch, O.
Lord Blantyre, O.
Lord Cranstoun, S.
Lord Fraser, S.
Lord Bargeny, O.
Lord Banff, S.
Lord Elibank, S.
Lord Belhaven, O.
Lord Duffus, S.
Lord Rollo, S.
Lord Colvill, O.
Lord Kinnaird, O.

Total 6 Dukes, 3 Marquisses, 40 Earls, 4 Viscounts, 19 Barons; in all 72.

No. IV.—AUTHENTIC LIST OF THE PEERAGE OF THE NORTH PART OF GREAT BRITAIN CALLED SCOTLAND,

As it stood on the 1st Day of May 1707.

Ordered to be laid before the House of Lords, 22d December 1707. *Robertson's Proceedings, p.* 12.

Duke of Hamilton
Duke of Buccleuch
Duke of Lennox
Duke of Gordon
Duke of Queensberry
Duke of Argyll
Duke of Douglas
Duke of Atholl
Duke of Montrose
Duke of Roxburghe
Marquis of Tweeddale
Marquis of Lothian
Marquis of Annandale
Earl of Crawford
Earl of Errol
Earl Marischall
Earl of Sutherland
Earl of Marr
Earl of Monteith
Earl of Rothes
Earl of Morton
Earl of Buchan
Earl of Glencairn
Earl of Eglintoun
Earl of Cassillis
Earl of Caithness
Earl of Moray
Earl of Nithsdale
Earl of Wintoun
Earl of Linlithgow
Earl of Home
Earl of Perth
Earl of Wigtoune
Earl of Strathmore
Earl of Abercorn
Earl of Kellie
Earl of Hadinton
Earl of Galloway
Earl of Lauderdale
Earl of Seaforth
Earl of Kinnoull
Earl of Loudoun
Earl of Dumfries
Earl of Stirling
Earl of Elgin
Earl of Southesk
Earl of Traquair
Earl of Ancrum
Earl of Wemyss
Earl of Dalhousie
Earl of Airlie
Earl of Findlater
Earl of Carnwath
Earl of Callander
Earl of Leven
Earl of Dysart
Earl of Panmure
Earl of Selkirk
Earl of Northesk
Earl of Kincardin
Earl of Balcarres
Earl of Forfar
Earl of Aboyne
Earl of Newburgh
Earl of Kilmarnock
Earl of Dundonald
Earl of Dumbarton
Earl of Kintore
Earl of Breadalbane
Earl of Aberdeen
Earl of Dunmore
Earl of Melville
Earl of Orkney
Earl of Ruglen
Earl of March
Earl of Marchmont
Earl of Seafield
Earl of Hyndford
Earl of Cromertie
Earl of Stair
Earl of Roseberie
Earl of Glasgow
Earl of Portmore
Earl of Bute
Earl of Hopetoun
Earl of Deloraine
Earl of Solway
Earl of Ilay
Viscount of Falkland
Viscount of Dunbar
Viscount of Stormont
Viscount of Kenmore
Viscount of Arbuthnott
Viscount of Kingston
Viscount of Oxfurd
Viscount of Irwin
Viscount of Kilsyth
Viscount of Dumblane
Viscount of Preston
Viscount of Newhaven
Viscount of Strathallan
Viscount of Teviott
Viscount of Duplin
Viscount of Garnock
Viscount of Primerose
Lord Forbes
Lord Saltoun
Lord Gray
Lord Ochiltree
Lord Cathcart
Lord Sinclair
Lord Mordington
Lord Sempill
Lord Elphinstone
Lord Oliphant
Lord Lovat
Lord Borthwick
Lord Rosse
Lord Torphichen
Lord Spynie
Lord Lindores
Lord Balmerinoch
Lord Blantyre
Lord Cardross
Lord Cranstoun
Lord Burleigh
Lord Jedburgh
Lord Maddertie
Lord Coupar
Lord Napier
Lord Cameron
Lord Cramond
Lord Reay
Lord Forrester
Lord Pitsligo
Lord Kirkcudbright
Lord Fraser
Lord Bargany

Lord Banff	Lord Colvill	Lord Kinnaird
Lord Elibank	Lord Ruthven	Lord Glassford
Lord Halkertoun	Lord Rutherfurd	
Lord Belhaven	Lord Ballenden	Total, 10 Dukes, 3 Marquisses, 75 Earls, 17 Viscounts, and 49 Barons; in all 154 peers.
Lord Abercrombie	Lord Newark	
Lord Duffus	Lord Nairn	
Lord Rollo	Lord Aymouth	

The House of Lords, 8th July 1714, ordered the Lord Dingwall (Duke of Ormond) to be added to the above roll, immediately before the Lord Cranstoun. On the accession of King George I., his eldest son George, Prince of Wales, Prince and Steward of Scotland, was added, as the first Duke, to the list, by the title of the Duke of Rothsay. By an order of the House of Lords, 27th May 1728, the Lord Somerville was appointed to be placed on the roll, in the place in which his ancestor the Lord Somerville sat in parliament the 15th of February 1524, with a saving, nevertheless, as well to the said Lord Somerville as to all other peers of Scotland, their rights and places upon further and better authority shewed for the same. By an order of the same date, the Lord Colvill of Culross was ordered to be placed on the roll, according to the date of the patent creating Sir James Colvill a peer, dated the 20th of January 1609. (Robertson's Proceedings.) The title of Marquis of Queensberry falls to be enrolled above the Marquis of Tweeddale, in consequence of an order of the House of Lords of 9th July 1812, for enrolling the Marquis of Queensberry in his due place.

No. V.—ROLL OR LIST OF THE PEERS OF SCOTLAND,

Certified to the Lords Spiritual and Temporal in Parliament assembled, by the Lords of Session, 27th February 1740. *Robertson's Proceedings,* 103.

DUKES.	Sutherland	Dumfries	Kintore
His Royal Highness	Monteith	Stirling	Breadalbine
Prince Rothesay	Rothes	Elgin	Aberdeen
Hamilton	Mortoun	Traquair	Dunmoir
Buccleugh	Buchan	Ancrum	Melvil
Lennox	Glencairn	Weymss	Orkney
Gordon	Eglingtoun	Dalhousie	Ruglen
Queensberry	Cassilis	Findlater	March
Argyle	Caithness	Leven	Marchmont
Douglas	Murray	Dysart	Seafield
Athole	Hume	Selkirk	Hyndford
Montrose	Wigtoun	Northesk	Cromerty
Roxburghe.	Strathmore	Kinkardine	Stair
MARQUISSES.	Abercorn	Balcarras	Roseberry
Tweeddale	Kelly	Forfar	Glasgow
Lothian	Haddingtoun	Aboyne	Portmore
Annandale	Galloway	Newburgh	Bute
EARLS.	Lauderdale	Kilmarnock	Hopetoun
Crawford	Kinnoul	Dundonald	Deloraine
Erroll	Lowdoun	Dumbarton	Ilay

VISCOUNTS.	Saltoun	Cardross	Haikertoun
Falkland	Gray	Colvil of Culross	Belhaven
Dunbar	Ochiltree	Cranstoun	Abercromie
Stormont	Cathcart	Jedburgh	Rollo
Arburthnot	Mordingtoun	Madertzie	Colvil
Oxford	Semple	Couper	Ruthven
Irvine	Elphinston	Napier	Rutherford
Dumblain	Oliphant	Cameron	Bellenden
Prestoun	Fraser of Lovat	Cramond	Newark
Newhaven	Borthwick	Reay	Eymouth
Strathallon	Ross	Forrester	Kinnaird
Teviot	Somervel	Pitsligo	Glasford.
Duplin	Torphichen	Kirkcudbright	
Garnock	Spynie	Fraser	Total, 11 Dukes, 3 Marquisses, 62 Earls, 14 Viscounts, 47 Barons; in all 137 Peers.
Primrose	Lundoirs	Bargony	
LORDS.	Balmerinoch	Bamff	
Forbes	Blantyre	Elibank	

The order of the House of Lords, in consequence of which the above list was sent, is in these terms—12th June 1739: "Ordered, That the "Lords of Session in Scotland do make up a roll "or list of the Peers of Scotland, at the time of "the Union, whose Peerages are still continuing, "and do lay the same before this House, in the "next session of Parliament, and that the said "Lords do, as far as they shall be able, state in "such roll or list the particular limitations of such "peerages."

The return of the Lords of Session to the above order, was received by the House of Lords 11th March 1740, and ordered to be printed. In that return it was stated, that "The Lords of Session, "by committees of their own number, made all the "enquiry they have been able, by searching into the "public records, and examining the proper officers "to whose care the keeping of them is committed, "in order to give your Lordships all the satisfac-"tion in their power; and they humbly beg leave "to report,

"That, after the most careful search and ex-"amination, they have not hitherto found among "the records any roll or list of the peers of Scot-"land at the time of the Union, authenticated by "the subscription of the Lord Register, or of any "other officer or person whatsoever; all they have "been able to meet with, to give satisfaction in "this particular, is an unsigned writing on a sheet "of paper, intituled, Roll of Parliament 1706, "bearing, first, a list of the Peers according to "their rank; next, a list of commissioners from "shires to that Parliament; and then, a list of "the commissioners from boroughs; and this "writing, some of the officers who were then em-"ployed under the Lord Register say, was the very "roll or list that was daily called over in the last "Parliament of Scotland, pursuant to the constant "practice of calling over the roll both of Peers "and Commons, who sat together in one House, "before the House proceeded to business; and "also of collecting the voices, by calling over the "rolls, when any point was to be resolved by a "question. They also find, That this roll or list "has, ever since the Union, been looked upon as "authentic; and that copies thereof, so far as con-"cerns the peerage, have been made use of, with "some additions hereafter to be mentioned, and "called over at every meeting of the Peers of Scot-"land, for the election of one or more Peers to "serve in the Parliament of Great Britain, from "the year 1708 down to this time. And that your "Lordships may be able to discover whether this "list agrees with that which was laid before your "Lordships by the Lord Register of Scotland, in "obedience to your Lordship's order of the 22d "December 1707, a copy of the list of Peers, as it "stands in the said roll, is hereunto annexed *.

"They further report, That this roll or list of "Peers, which they consider as that which was de "praxi made use of, and called over in the last Par-"liament of Scotland, in which the Union was enact-"ed, and therefore deemed a true one, has suffered "several alterations since that time, some of which "are of that nature and notoriety, that they may "presume to certify them to your Lordships, where-"as they must content themselves with respect so "others with stating the case, so far as appears to "them, without concluding positively from what "they shall so state. One great alteration they "refer to is, what was made by the attainders of "the Earls Marishal, of Marr, Nithsdale, Win-"ton, Linlithgow, Perth, Seaforth, Southesk, "Airly †, Carnwath, Callender, by the attainder of

* The list annexed is the same with that laid before the House of Lords by the Lord Register, (No. IV.) only it does not contain the title of Earl of Solway.

† The earldom of Airly was not correctly included among the forfeited titles, John, then Earl of Airly, having full right to that peerage, since the death, in 1731, of his brother James, Lord Ogilvy, who was, in the lifetime of his father, attainted in 1715, therefore the title lay dormant, from his father's death in

" Earls Lithgow and Panmure, the Viscounts of " Kenmure, Kingston, and Kilsyth, the Lords " Sinclair*, Burleigh, Duffus, and Nairn, of high " treason, for their accession to the unnatural re- " bellion that was raised in 1715, which takes " nineteen out of the said roll or list of the peers " of Scotland. Another alteration they presume " to mention, because it is certain, is the addition " of three Peers to the said list, to wit, his Royal " Highness the Prince of Wales, Prince and " Steward of Scotland, by the title of Duke of " Rothesay, under which his present Majesty, " whilst Prince, voted by list at the election of a " Peer to serve in Parliament, in the room of the " Marquis of Tweeddale 1716; and the Lords " Somervel, and Colvil of Culross, who, by your " Lordships' resolutions of the 27th of May 1723, " were found to have right to the honours and " dignities which they respectively claimed, and " who, on the 31st of that month, obtained a sig- " nification of his late Majesty's pleasure, by the " Duke of Roxburgh, then Secretary of State, to " the Lord Register of Scotland, to place them in " the list of the Peers of Scotland, conform to your " Lordships' resolutions aforesaid; and they have " accordingly voted at the succeeding elections. " Taking, therefore, from the said roll or list in " the Appendix, the said nineteen Peers attainted, " and adding thereto the three Peers last describ- " ed, they humbly certify to your Lordships, that " the roll or list of the Peers of Scotland stands at " present, so far as with certainty appears to them " thus" (as above, No. V.)

" But they dare not presume to transmit this " to your Lordships as a list of the peerage of " Scotland, without observing two things; first, " That as they have, on examining the records, " met with many antient peerages, such as Lyle, " Holyroodhouse, Monypenny, Innerkeithing, " and others, not entered in the said roll or list " that was called over in the last parliament of " Scotland, nay, some of them not appearing to " have sat or voted for a century; as it is impos- " sible for them to discover, so as to be able to " report to your Lordships with any certainty, " whether any, and which of these peerages may " be extinct, or joined with other titles in the same " person; as if any person should hereafter ap- " pear, and vouch a sufficient right to any of these " peerages, your Lordships would admit them, " as you did in the cases above mentioned of So- " mervel and Colvil of Culross: And as there " may be several antient peerages that do not ap- " pear in the said roll or list, now, and for many " years past, conjoined with higher dignities in " the same person, which may hereafter separate, " as the limitations of the succession of the seve- " ral peerages may be different; so the above roll " cannot be looked on as a complete list, such as " should exclude any further claims to antient " peerages to be made and vouched.

" The second observation they humbly make is, " That though, in drawing out the above roll or " list, they have left out such of the peers con- " tained in the list referred to in the appendix, " as they were warranted to leave out by legal evi- " dence; yet they have reason, from examining " the records, to think, that several of the peer- " ages in the above roll or list are extinct, or so " joined with other titles in the same person as " not to be again separable from them; though, " not having absolute certainty or legal evidence " of this, they could not take upon them to leave " those peerages out of the roll or list which your " Lordships directed them to lay before the House; " but as they take it to be their duty to give your " Lordships all the light they are able, under the " proper guards, to prevent your Lordships from " being misled by the information they may offer, " so far as it is imperfect they take the liberty " humbly to lay before your Lordships such ob- " servations, as to leave it doubtful whether the " persons claiming some of the said peerages " have sufficient right thereto, or as lead them " to think that several particular peerages in the " above above written roll are extinct, or joined " in the same person with other peerages, not " again to be separated. And they have an- " nexed in the appendix copies of the words of " limitations in the several patents to which the " observations refer."

After particular observations on the titles of Earl of Monteith, Anerum, Forfar, Dumbarton, Melvil, Ruglen, Findlater and Seafield, Viscount of Oxford, Teviot, Duplin, and Lords Ochiltree, Borthwick, Spynzie, Cardross, Jedburgh, Maderlzy, Coupar, Cramond, Kirkcudbright, Bargeny, Abercrombie, Rutherford, Newark, Eymouth, and Glasford (the limitations in the patents of these peerages being inserted in the appendix to that return,) and noticing proceedings relative to the titles of Earl of Solway and Lord Dingwall, the report goes on thus:

" As to the other part of your Lordships order, " which requires the Lords of Session to state in " the roll or list, to be laid before your Lordships, " the particular limitations of the peerages, so far " as they shall be able; they must, in place of

1717, till 1731. The title again became dormant on the death of the said John, Earl of Airly, in 1761, his eldest son David, Lord Ogilvy, having been attainted in 1746; but on the death of his only son David, without issue, in 1812, the peerage again revived in the person of the Hon. Walter Ogilvy of Clova, second son of the said John, Earl of Airly.

* The title of Lord Sinclair was not forfeited; at that period this peerage was dormant, in consequence of the attainder of John, Master of Sinclair, on whose death, without issue, in 1750, the forfeiture ceased, and Lord Sinclair is an existing peerage.

" giving your Lordships the satisfaction you ex-
" pected, and that they wished to give, content
" themselves with laying before your Lordships
" the following remarks, which will shew, not
" only that they are not able, but also why they
" are not able, to answer your Lordships' expecta-
" tion.

" 1. Then, they take the liberty to remark,
" that they cannot discover in the records any
" patent of honour, creating a peerage, earlier
" than the reign of King James VI. Before that
" time, *titles* of honour and *dignity* were created,
" by erecting lands into earldoms and lordships,
" and probably by some other method that can-
" not now, in matters so antient; be with any
" certainty discovered; for a great many noble
" families appear, from the rolls of parliament, to
" have sat and voted in parliament as Lords of
" Parliament, though no constitution of the peer-
" age, or title of honour under which they sat,
" can be now found in the records: But as the
" *constitutions* in most antient cases do not ap-
" pear, and the chief evidence of the titles being
" hereditary is the successors regularly possessing
" the predecessors rank in parliament, it is not
" possible, without hearing the allegations that
" may be made, and examining the evidence that
" may be brought by contending parties, to form
" any judgment of the limitations of such antient
" peerages; as there is not, so far as they know, any
" maxim hitherto established in the law of Scotland,
" that can be applied universally to determine the
" descent of peerages, where the original consti-
" tution, or new grants upon resignation, do not
" appear; *and* of the difficulty that occurs in set-
" tling such questions, they lately had an instance
" in the case of the peerage of the Lord Fraser
" of Lovat, which is undoubtedly subsisting; the
" last Lord, who sat in the parliament 1695, dy-
" ing without male issue, his eldest daughter, and,
" after her death, her eldest son, assumed the title,
" having obtained before the Court of Session,
" in absence of the heir male, a decreet declaring
" their right thereto; and, on the other hand,
" his nearest heir male claimed it, insisting that
" the honours were descendible to heirs male, and
" brought his action before the Court of Session,
" to have it so found and declared, and to reduce
" and set aside the foresaid judgment by default.
" The Court, where actions of the same kind had
" been thought competent, and, as such, sustain-
" ed before the union, proceeded to hear the
" cause; and the parties having produced, of
" either side, all the documents they could, and
" having been fully heard thereon, the Court re-
" duced and set aside the foresaid decreet in ab-
" sence, and found the title in question descen-
" dible to heirs male, and the defender has hither-
" to acquiesced. But whether this judgment is
" of sufficient authority, they humbly submit to
" your Lordships, having made mention of it
" chiefly to shew, that though, when the parties
" interested join issue, and furnish all the light in
" their power towards the determination of the
" cause, the Court must give their opinion, yet,
" where no party that may be interested is bound
" to appear, and to produce or point out in the
" records, so far as they may be found there, the
" documents that are necessary to instruct their
" claim, it is next to impossible for any court, or
" indeed for human industry, to make up a state
" of the interests of so many persons, as fall un-
" der this observation, with tolerable certainty.

" 2. They presume humbly to inform your
" Lordships, that, through various accidents, the
" state of their records, particularly of their most
" antient, is imperfect; for, not to mention other
" misfortunes, it appears, by an examination, to
" be found amongst the records of parliament, 8th
" January 1661, that of the registers which, hav-
" ing been carried to London during the usurpa-
" tion of Cromwell, were bringing back from
" London after the restoration, by sea, 85 hogs-
" heads were, in a storm, shifted out of the fri-
" gate the Eagle, into another vessel, which sunk
" with these records at sea; and ten hogsheads
" more of the records, brought down from Lon-
" don at that time, lie still unopened in the Ge-
" neral Register-house, through some neglect of
" the officers to whose charge they were com-
" mitted, that cannot well be accounted for; so
" that, upon this separate account, your Lordships
" will perceive, a search into the antient records
" cannot give reasonable satisfaction.

" 3. After the practice of creating peerages by
" patent, the records, till of late, have been so
" carelessly kept, that they cannot be absolutely
" depended upon. Patents of honour have pas-
" sed the great seal, and yet copies of the patents
" so passed are not to be met with in the register
" of that seal; and of this the patents of the Lord
" Forrester, anno 1651, and of the Earl of Brea-
" dalbine, 1682, are instances; the first of these
" was duly sealed in the 1651, but not entered in
" the register till the year 1684, and the last was
" duly sealed in the 1682, but, to this hour, is
" not entered in the register; besides that, of
" volume 57 of the register of the great seal, in
" the keeping of the Lord Keeper, twelve leaves
" are lost, by some accident now unknown; and
" it appears from the minute-book, that the pa-
" tent of Bargeny, and several others, were pass-
" ed at such time, that they probably may have
" been entered in some of those leaves that are
" lost.

" 4. They presume humbly to inform your
" Lordships, that it was a practice very preva-
" lent in Scotland, for peers to make a resigna-
" tion or surrender of their honours, whether ori-
" ginally created by patent, or by the more antient

" methods, into the hands of the sovereign, for " new grants of those honours, to such a series of " heirs as they intended for their successors; and " the new grants passed sometimes in the form of " patents of honour only, and sometimes in the " form of charters of the estates, containing a new " grant and limitation of the honours. Now, " where this last was the case, it must be attended " with very great labour and expence of time, to " search for the titles of honour among all the " charters of lands.

" 5. The practice of Scotland went still farther, " and it was usual to obtain grants of honours, " not only to the grantee, and his heirs male and " of tailzie, referring to the particular entail then " made, but also to his heirs of tailzie whom he " might thereafter appoint to succeed him in his " estate, and even to any person whom he should " name to succeed him in his honours at any time " in his life, or upon death-bed. Now, as it is " impossible to trace through the records such " nomination and appointment, which in some " cases may be valid, though not hitherto record- " ed, your Lordships will easily see, that the " Lords of Session are not able to give your Lord- " ships any reasonable satisfaction touching the " limitations of the peerages that are still continu- " ing: And your Lordships will farther perceive " the reason why, in the foregoing observations, " they speak so doubtfully of the continuance of " peerages, which, were they to judge only on " what appears from the examination they have " had of the records, they should not doubt to re- " port to be extinct, or so conjoined with other " titles of honour as not to be again separable."

No. VI.—ROLL OF THE PEERS OF SCOTLAND,

Called at all Elections of their Representatives to the House of Lords, since the year 1746. *(Robertson's Proceedings, 472.) Two Peerages are added in Italics.*

His Royal Highness the Prince of Wales, Duke of Rothesay.

DUKES.

Hamilton
Buccleugh
Lennox
Gordon
Queensberry
Argyll
Douglas
Atholl
Montrose
Roxburgh.

MARQUISSES.

Queensberry
Tweeddale
Lothian
Annandale.

EARLS.

Craufurd
Errol
Sutherland
Monteith
Rothes
Morton
Buchan
Glencairn
Eglintoune
Cassillis
Caithness
Moray
Home
Wigtoune
Strathmore
Abercorn
Kellie
Hadinton
Galloway
Lauderdale
Kinnoull
Loudoun
Dumfries
Stirling
Elgin
Traquair
Ancrum
Wemyss
Dalhousie
Airly
Findlater
Leven
Dysart
Selkirk
Northesk
Kincardine
Balcarres
Forfar
Aboyne
Newburgh
Dundonald
Dumbarton
Kintore
Breadalbane
Aberdeen
Dunmore
Melville
Orkney
Ruglen
March
Marchmont
Seafield
Hyndford
Stair
Roseberie
Glasgow
Portmore
Bute
Hopetoun
Deloraine
Solway
Ilay.

VISCOUNTS.

Falkland
Dunbar
Stormont
Arbuthnott
Oxfurd
Irwin
Dumblane
Preston
Newhaven
Teviott
Duplin
Garnock
Primerose.

LORDS.

Forbes
Saltoun
Gray
Ochiltree
Cathcart
Sinclair
Mordington

Sempill
Elphinstone
Oliphant
Borthwick
Rosse
Somerville
Torphichen
Spynie
Lindores
Blantyre
Cardross

Colvill
Cranstoun
Jedburgh
Maddertie
Napier
Cameron
Cramond
Reay
Forrester
Kirkcudbright
Fraser

Bargany
Banff
Elibank
Halkertoun
Belhaven
Abercrombie
Rollo
Colvill
Ruthven
Rutherfurd
Bellenden

Newark
Aymouth
Kinnaird
Glasford.

Total 11 Dukes, 4 Marquisses, 62 Earls, 13 Viscounts, and 44 Barons; in all 134 Peers.

No. VII.—LIST OF THE PEERS OF SCOTLAND,

At the period of the General Election, 13th November 1812.

Those who attended the Meeting are marked A, *those who voted by Proxy* P. *and those who voted by List* L. *The mark * denotes the sixteen Peers chosen, and the figures within brackets the number of Votes given for the respective Peers, of whom some were not Candidates.*

His Royal Highness GEORGE AUGUSTUS FREDERICK, Prince REGENT, and Prince of WALES, Duke of ROTHSAY.

Archibald Hamilton, Duke of Hamilton, (Duke of Brandon in Great Britain).

Charles William Montagu Scott, Duke of Buccleuch and Queensberry, (Earl of Doncaster in England), A.

Charles Lennox, Duke of Lennox. (Duke of Richmond in England.) P.

Alexander Gordon, Duke of Gordon. (Earl of Norwich in Great Britain.) L.

George William Campbell, Duke of Argyll. (Baron Sundridge and Baron Hamilton, in Great Britain).

John Murray, Duke of Atholl. (Earl Strange in Great Britain, and Baron Strange of Knockyn, in England.) A.

James Graham, Duke of Montrose. (Earl Graham in Great Britain). L.

James Innes Ker, Duke of Roxburghe. [1.]

*Charles Douglas, Marquis of Queensberry. A. [50.]

George Hay, Marquis of Tweeddale.

William John Kerr, Marquis of Lothian.

William Hay, Earl of Errol. L.

Elisabeth Sutherland, Countess of Sutherland, (Marchioness of Stafford in Great Britain, in right of her husband.)

*George William Leslie, Earl of Rothes, A. [50.]

George Douglas, Earl of Morton, (Baron Douglas of Lochleven in Great Britain.) A.

David Stewart Erskine, Earl of Buchan.

Hugh Montgomery, Earl of Eglintoun, (Baron Ardrossan of Ardrossan, in Great Britain.) L.

Archibald Kennedy, Earl of Cassillis, (Baron Ailsa of Ailsa, in Great Britain.) L.

*James Sinclair, Earl of Caithness, A. (39.)

Francis Stuart, Earl of Moray, (Baron Stewart of Castlestewart, in Great Britain). A.

*Alexander Home, Earl of Home, A. [40.]

John Lyon Bowes, Earl of Strathmore and Kinghorn. [1.]

John James Hamilton, Earl of Abercorn, (Marquis of Abercorn in Great Britain, and Viscount of Strabane in Ireland.)

*Thomas Erskine, Earl of Kellie, A. [50.]

Charles Hamilton, Earl of Haddington, L.

George Stewart, Earl of Galloway, (Baron Stewart of Garlies, in Great Britain.) L.

James Maitland, Earl of Lauderdale, (Baron Lauderdale of Thirlestane, in Great Britain.) A.

Thomas Robert Hay Drummond, Earl of Kinnoul, (Baron Hay of Pedwardine, in Great Britain.) A.

Flora Mure Campbell, Countess of Loudoun, (Countess of Moira in Ireland, and Baroness Hungerford in England, in right of her husband.)

John Stuart Crichton, Earl of Dumfries. (Minor.)

Thomas Bruce, Earl of Elgin and Kincardine, A.

Charles Stuart, Earl of Traquair. (Roman Catholic.)
Francis Wemyss Charteris, Earl of Wemyss and March. A.
* George Ramsay, Earl of Dalhousie. [50.]
Walter Ogilvy, Earl of Airly.
Alexander Melville Leslie, Earl of Leven and Melville. A.
Wilbraham Talmash, Earl of Dysart.
* Thomas Douglas, Earl of Selkirk. A. [47.]
William Carnegy, Earl of Northesk. L. [17.]
* Alexander Lindsay, Earl of Balcarras. A. [49.]
* George Gordon, Earl of Aboyne. A. [50.]
Anthony James Radcliffe, Earl of Newburgh. (Roman Catholic.)
Archibald Cochrane, Earl of Dundonald. P.
Anthony Adrian Keith Falconer, Earl of Kintore. (Minor.)
John Campbell, Earl of Breadalbane and Holland, (Baron Breadalbane of Taymouth, in Great Britain.) P.
* George Gordon, Earl of Aberdeen. A. [51.]
George Murray, Earl of Dunmore. L.
Mary Obrien, Countess of Orkney.
Lewis Alexander Grant, Earl of Seafield.
Andrew Carmichael, Earl of Hyndford. L.
John Dalrymple, Earl of Stair. P.
Neil Primrose, Earl of Rosebery.
* George Boyle, Earl of Glasgow. A. [49.]
William Charles Colyear, Earl of Portmore. L.
John Stuart, Earl of Bute, (Marquis of Bute in Great Britain.)
James Hope Johnstone, Earl of Hopetoun, (Baron Hopetoun of Hopetoun in Great Britain.) L.
—— Cary, Viscount of Falkland. (Minor.)
William Murray, Viscount of Stormont, (Earl of Mansfield in Middlesex, in Great Britain.) L.
John Arbuthnott, Viscount of Arbuthnott. A.
George William Frederick Osborne, Viscount of Dunblane, (Duke of Leeds in England.)
* James Ochoncar Forbes, Lord Forbes, A. [45.]
* Alexander George Fraser, Lord Salton. [48.]
* Francis Gray, Lord Gray. A. [45.]
William Shaw Cathcart, Lord Cathcart, (Viscount Cathcart in Great Britain.)
* Charles St Clair, Lord Sinclair. A. [49.]
Hugh Sempill, Lord Sempill.
John Elphinston, Lord Elphinston.
John Somerville, Lord Somerville. L.
James Sandilands, Lord Torphichen. P.
Robert Walter Stuart, Lord Blantyre. L.
John Colvill, Lord Colvill of Culross. [1.]
James Edward Cranstoun, Lord Cranstoun.
* Francis Napier, Lord Napier, A. [44.]
Bryan Fairfax, Lord Fairfax of Cameron.
Eric Mackay, Lord Reay. P. [14.]
James Walter Grimston, Lord Forrester, (Viscount Grimston in Ireland, and Baron Verulam of Gorhambury in Great Britain.) L.
Sholto Henry Maclellan, Lord Kirkcudbright. L
Alexander Murray, Lord Elibank A.
William Hamilton, Lord Belhaven, A.
John Rollo, Lord Rollo, A.
James Ruthven, Lord Ruthven, A.
Charles Kinnaird, Lord Kinnaird, A. [20.]
Protested against the return.

Total 9 Dukes, 3 Marquisses, 42 Earls, 3 Countesses in their own right, 4 Viscounts, and 22 Barons; in all 83 Peers and Peeresses, of whom 2 Earls, and 1 Viscount are Minors, and 29 are Peers of England, or Great Britain.

No. VIII.—STATUTES RELATING TO THE ELECTION OF REPRESENTATIVE PEERS OF SCOTLAND, &c.

By the 22d article of the treaty of Union, it is declared, that, by virtue of this treaty, of the Peers of Scotland at the time of the Union, sixteen shall be the number to sit and vote in the House of Lords, and forty-five the number of the representatives of Scotland in the House of Commons, of the Parliament of Great Britain: And that, when her Majesty, her heirs or successors, shall declare her or their pleasure for holding the first, or any subsequent Parliament of Great Britain, until the Parliament of Great Britain shall make further provision therein, a writ do issue, under

the great seal of the united kingdom, directed to the privy-council of Scotland, commanding them to cause sixteen Peers, who are to sit in the House of Lords, to be summoned to parliament, and forty-five members to be elected to sit in the House of Commons of the parliament of Great Britain, according to the agreement in this treaty, in such manner as by a subsequent act of this present session of the parliament of Scotland shall be settled; which act is hereby declared to be as valid as if it were a part of, and ingrossed in this treaty; and that the names of the persons so summoned and elected shall be returned by the Privy-Council of Scotland into the court from whence the said writ did issue: And that if her Majesty, on or before the 1st day of May next, on which day the union is to take place, shall declare, under the great seal of England, that it is expedient that the Lords of Parliament of England, and Commons of the present Parliament of England, should be members of the respective Houses of the first parliament of Great Britain, for and on the part of England; then the said lords of parliament of England, and commons of the present parliament of England, shall be members of the respective houses of the first parliament of Great Britain, for, and on the part of England; and her Majesty may, by her royal proclamation under the great seal of Great Britain, appoint the said first parliament of Great Britain to meet at such time and place as her Majesty shall think fit; which time shall not be less than fifty days after the date of such proclamation: And the time and place of the meeting of such parliament being so appointed, a writ shall be immediately issued under the great seal of Great Britain, directed to the Privy-Council for Scotland, for the summoning the sixteen Peers, and for electing forty-five members, by whom Scotland is to be represented in the parliament of Great Britain: And the lords of parliament of England, and the sixteen Peers of Scotland, such sixteen Peers being summoned and returned in the manner agreed in this treaty, and the members of the House of Commons of the said parliament of England, and the forty-five members for Scotland, such forty-five members being elected and returned in the manner agreed in this treaty, shall assemble and meet, respectively, in their respective houses of the parliament of Great Britain, at such time and place as shall be so appointed by her Majesty, and shall be the two Houses of the first Parliament of Great Britain: And that parliament may continue for such time only as the present parliament of England might have continued, if the union of the two kingdoms had not been made, unless sooner dissolved by her Majesty: And that every one of the lords of parliament of Great Britain, and every member of the House of Commons of the parliament of Great Britain, in the first and all succeeding parliaments of Great Britain, until the parliament of Great Britain shall otherwise direct, shall take the respective oaths appointed to be taken, instead of the oaths of allegiance and supremacy, by an act of parliament made in England in the first year of the reign of the late King William and Queen Mary, intituled, "An act for the abro-"gating of the oaths of supremacy and allegiance, "and appointing other oaths;" and make, subscribe, and audibly repeat the declaration mentioned in an act of parliament made in England in the thirtieth year of King Charles II., intituled, "An act for the more effectual preserving the "King's person and government, by disabling "Papists from sitting in either house of parlia-"ment;" and shall take and subscribe the oath mentioned in act of parliament made in England in the first year of her Majesty's reign, intituled, "An act to declare the alterations in the oath "appointed to be taken by the act intituled, An "act for the further security of his Majesty's per-"son, and the succession of the crown in the "Protestant line, and for extinguishing the hopes "of the pretended Prince of Wales, and all "other pretenders, and their open or secret abet-"tors, and for declaring the association to be de-"termined," at such time, and in such manner, as the members of both houses of parliament of England are by the said respective acts directed to take, make, and subscribe the same, upon the penalties and disabilities in the said respective acts contained: And it is declared and agreed that these words, "this realm, the crown of this "realm, and the Queen of this realm," mentioned in the oaths and declaration contained in the aforesaid acts, which were intended to signify the crown and realm of England, shall be understood of the crown and realm of Great Britain; and in that sense the said oaths and declaration be taken and subscribed by the members of both houses of the parliament of Great Britain.

By the 23d article of the treaty of Union it is declared, that the foresaid sixteen Peers of Scotland, mentioned in the last preceding article, to sit in the House of Lords of the parliament of Great Britain, shall have all the privileges of parliament which the Peers of England now have, or which they, or any Peers of Great Britain, shall have after the union; and, particularly, the right of sitting upon the trials of Peers; and in case of the trial of any Peer in time of adjournment or prorogation of parliament, the said sixteen peers shall be summoned in the same manner, and have the same powers and privileges at such trial, as any other Peers of Great Britain; and that, in case any such trials of Peers shall hereafter happen when there is no parliament in being, the sixteen Peers of Scotland who sat in the last preceding parliament shall be summoned in the same

manner, and have the same powers and privileges at such trials, as any other Peers of Great Britain: And that all Peers of Scotland, and their successors to their honours and dignities, shall, from and after the union, be Peers of Great Britain, and have rank and precedency next and immediately after Peers of the like orders and degrees in England at the time of the union, and before all Peers of Great Britain of the like orders and degrees who may be created after the Union; and shall be tried as Peers of Great Britain; and shall enjoy all privileges of Peers as fully as the Peers of England do now, or as they, or any other Peers of Great Britain, may hereafter enjoy the same, except the right and privilege of sitting in the House of Lords, and the privileges depending thereon, and particularly the right of sitting upon the trials of Peers.

In terms of the provision inserted in the 22d article, an act was, by the parliament of Scotland, passed on the 5th February 1707, entitled, "Act "settling the manner of electing the sixteen peers "and forty-five commoners to represent Scotland "in the Parliament of Great Britain," containing the following clauses applicable to the election of Peers:

Our Sovereign Lady, considering that, by the 22d article of the treaty of Union, as the same is ratified by an act passed in this session of Parliament upon the 16th of January last, it is provided, That by virtue of the said treaty, of the Peers of Scotland at the time of the Union, sixteen shall be the number to sit and vote in the House of Lords, and forty-five the number of the representatives of Scotland in the House of Commons, of the Parliament of Great Britain; and that the said sixteen Peers, and forty-five members in the House of Commons, be named and chosen in such a manner as, by a subsequent act in this present session of the Parliament of Scotland shall be settled; which act is thereby declared to be as valid as if it were a part of, and engrossed in the said treaty: Therefore her Majesty, with advice and consent of the estates of Parliament, statutes, enacts, and ordains, That the said sixteen Peers who shall have right to sit in the House of Peers in the Parliament of Great Britain on the part of Scotland, by virtue of this treaty, shall be named by the said Peers of Scotland, whom they represent, their heirs or successors to their dignities and honours, out of their own number, and that by open election and plurality of voices of the Peers present, and of the proxies for such as shall be absent, the said proxies being Peers, and producing a mandate in writing duly signed before witnesses, and both the constituent and proxy being qualified according to law; declaring also, that such Peers as are absent, being qualified as aforesaid, may send to all such meetings lists of the Peers whom they judge fittest, validly signed by the said absent Peers, which shall be reckoned in the same manner as if the parties had been present and given in the said list; and in case of the death or legal incapacity of any of the said sixteen Peers, that the foresaid Peers of Scotland shall nominate another of their own number in place of the said Peer or Peers in manner before and after mentioned. And that the said forty-five representatives, &c. It is always hereby expressly provided and declared, That none shall be capable to elect or be elected for any of the said estates, but such as are twenty-one years of age complete, and Protestant, excluding all Papists, and such who, being suspect of Popery, and required, refuse to swear and subscribe the formula contained in the third act made in the eighth and ninth sessions of King William's Parliament, intituled, "An act for preventing the growth of Pope"ry:" And also declaring, that none shall be capable to elect or be elected to represent a shire or burgh in the Parliament of Great Britain for this part of the United Kingdom, except such as are now capable, by the laws of this kingdom, to elect or to be elected as commissioners for shires or burghs to the Parliament of Scotland. And further, her Majesty, with advice and consent foresaid, for the effectual and orderly election of the persons to be chosen to sit, vote, and serve in the respective Houses of the Parliament of Great Britain, when her Majesty, her heirs, and successors, shall declare her or their pleasure for holding the first, or any subsequent Parliament of Great Britain, and when for that effect a writ shall be issued out under the great seal of the United Kingdom, directed to the Privy Council of Scotland, conform to the said 22d article, statutes, enacts and ordains, That until the Parliament of Great Britain shall make further provision therein, the said writ shall contain a warrant and command to the said Privy Council, to issue out a proclamation in her Majesty's name, requiring the Peers of Scotland for the time, to meet and assemble at such time and place, within Scotland, as her Majesty and royal successors shall think fit, to make election of the said sixteen Peers; and requiring the Lord Clerk Register, or two of the Clerks of Session, to attend all such meetings, and to administer the oaths that are or shall be by law required, and to ask the votes; and having made up the lists in presence of the meeting, to return the names of the sixteen Peers chosen, (certified under the subscription of the Lord Clerk Register, Clerk or Clerks of Session attending,) to the Clerk of the Privy Council of Scotland, &c. to the end that the names of the sixteen Peers, thirty commissioners for shires, and fifteen commissioners for burghs, being so returned to the Privy Council, may be returned to the Court from whence the writ did issue under the great seal of the United Kingdom, conform to the said 22d article. And whereas, by the said 22d

article, it is agreed, That if her Majesty shall, on or before the 1st day of May next, declare, that it is expedient the Lords and Commons of the present Parliament of England should be the members of the respective Houses of the first Parliament of Great Britain, for and on the part of England, they shall accordingly be the members of the said respective Houses, for and on the part of England; her Majesty with advice and consent foresaid, in that case only, doth hereby statute and ordain, that the sixteen Peers, and forty-five commoners for shires and burghs, who shall be chosen by the Peers, Barons, and burghs respectively, in this present session of Parliament, and out of the members thereof, in the same manner as Committees of Parliament are usually now chosen, shall be members of the respective Houses of the said first Parliament of Great Britain, for and on the part of Scotland; which nomination and election, being certified by a writ under the Lord Clerk Register's hand, the persons so nominated and elected shall have right to sit and vote in the House of Lords and in the House of Commons of the first Parliament of Great Britain.

Stat. 6. Anne, cap. 23. intitled, "An act to "make further provision for electing and summoning sixteen Peers of Scotland to sit in the "House of Peers of the Parliament of Great "Britain, and for trying Peers for offences com-"mitted in Scotland; and for the further regu-"lating of votes in elections of members to serve "in Parliament." (Passed 1st April 1708.)

I. Whereas by the 22d article of the treaty of Union for uniting the two kingdoms of England and Scotland, ratified and confirmed by the respective Parliaments of each kingdom, it was, amongst other things, provided, That when her Majesty, her heirs or successors, should declare their pleasure for holding the first, or any subsequent Parliament of Great Britain, until the Parliament of Great Britain should make further provision therein, writs should issue under the great seal of the united kingdom of Great Britain, directed to the Privy Council of Scotland, commanding them to cause sixteen Peers, who were to sit in the House of Lords, to be summoned to Parliament in such manner as by an act of the then present session of Parliament of Scotland, was or should be settled; in which session of the Parliament of Scotland an act was accordingly passed for that purpose, intituled "Act settling "the manner of electing the sixteen Peers and "forty-five members to represent Scotland in the "Parliament of Great Britain;" which act was afterwards confirmed by the Parliament of England, and declared as valid as if the same had been part of and ingrossed in the said articles of Union; by which act it is, amongst other things, provided and enacted, that the sixteen Peers who should have a right to sit in the House of Peers in the Parliament of Great Britain, on the part of Scotland, by virtue of the said treaty, should be named by the said Peers of Scotland whom they represent, their heirs or successors to their dignities and honours, out of their own number, and that by open election and plurality of voices of the Peers present, and of the proxies for such as should be absent, the said proxies being Peers, and producing a mandate in writing, duly signed before witnesses, and both the constituent and proxy being qualified according to law; and that such Peers as were absent, being qualified as aforesaid, might send to all such meetings a list of the Peers whom they judged fittest, validly signed by the said absent Peers, which should be reckoned in the same manner as if the parties had been present, and given in the said list; and in case of the death or legal incapacity of any of the said sixteen Peers, that the aforesaid Peers of Scotland should nominate another of their own number in place of the said Peer or Peers in manner as therein is mentioned: And it was thereby further enacted, that until the Parliament of Great Britain should make further provision therein, the said writs so to be issued should contain a warrant and command, to command the said Privy-Council to issue out a proclamation in her Majesty's name, requiring the Peers of Scotland for the time to meet and assemble at such time and place within Scotland as her Majesty and her royal successors should think fit, to make election of the said sixteen Peers, and requiring the Lord Clerk Register, or two of the Clerks of Session, to attend all such meetings, and to administer the oaths as were or should be by law required, and to ask the votes; and having made up the list in presence of the meeting, to return the names of the sixteen Peers chosen, certified under the subscription of the said Lord Clerk Register, Clerk or Clerks of Session attending, to the clerk of the Privy Council of Scotland, to the end that the names of the sixteen Peers being so returned to the Privy Council, might be returned to the court from whence the writ did issue, under the great seal of the United Kingdom, conform to the said 22d article: And, whereas, by an act of this present session, intituled, "An act for rendering the union of the two "kingdoms more entire and complete," it is declared and enacted, that from and after the 1st day of May 1708, the Privy Council of Scotland *shall cease* and determine, whereby it is become necessary that some further provision should be made for the electing and returning the said sixteen Peers, that are to sit in the House of Peers in the Parliament of Great Britain, pursuant to the said treaty: Be it therefore enacted by the Queen's most excellent Majesty, by and with the advice and consent of the lords spiritual and tem-

poral, and commons in Parliament assembled, and by the authority of the same, That at all times hereafter, when her Majesty, her heirs and successors, shall declare her or their pleasure for summoning and holding any Parliament of Great Britain, that in order to the electing and summoning the sixteen Peers of Scotland, a proclamation shall be issued, under the great seal of Great Britain, commanding all the Peers of Scotland to assemble and meet at Edinburgh, or in such other place in Scotland, and at such time as shall be appointed in the said proclamation, to elect by open election the sixteen Peers to sit and vote in the House of Peers in the Parliament of Great Britain, in such manner as by the before-recited act, and herein after is appointed.

II. And be it further enacted, by the authority aforesaid, that every proclamation issued for the purpose aforesaid, shall be duly published at the market-cross of Edinburgh, and in all the county towns of Scotland, five and twenty days at the least before the time thereby appointed for the meeting of the Peers to proceed to such election.

III. And be it further enacted, by the authority aforesaid, that all the Peers who meet on such proclamation, shall, before they proceed to the election, and in presence of the Peers assembled for such election, take the respective oaths, videlicet,

"I A. B. do sincerely promise and swear, That "I will be faithful and bear true allegiance to her "Majesty Queen Anne. So help me God."

"I A. B. do swear, that I do from my heart "abhor, detest, and abjure, as impious and he- "retical, that damnable doctrine and position, "that Princes excommunicated or deprived by "the Pope, or any authority of the see of Rome, "may be deposed or murdered by their subjects, "or any other whatsoever. And I do declare, "that no foreign prince, person, prelate, state, "or potentate, hath, or ought to have, any juris- "diction, power, superiority, pre-eminence, or "authority, ecclesiastical or spiritual, within this "realm. So help me God."

And shall also make, repeat, and subscribe the declaration following, videlicet,

"I A. B. do solemnly and sincerely, in the "presence of God, profess, testify, and declare, "that I do believe that in the Sacrament of the "Lord's Supper there is not any transubstantiation "of the elements of bread and wine into the body "and blood of Christ, at or after the consecration "thereof by any person whatsoever; and that the "invocation or adoration of the Virgin Mary, "or any other saint, and the sacrifice of the mass, "as they are now used in the church of Rome, "are superstitious and idolatrous. And I do so- "lemnly, in the presence of God, profess, testify, "and declare, that I do make this declaration, "and every part thereof, in the plain and ordi- "nary sense of the words read unto me, as they "are commonly understood by English protest- "ants, without any evasion, equivocation, or "mental reservation whatsoever, and without "any dispensation already granted to me for this "purpose by the pope, or any other authority or "person whatsoever, or without any hope of any "such dispensation from any person or authority "whatsoever, or without thinking that I am or "can be acquitted, before God or man, or ab- "solved of this declaration, or any part thereof, "although the Pope or any other person or per- "sons, or power whatsoever, should dispense "with, or annul the same, or declare that it was "null and void from the beginning."

And also take and subscribe the oath following, videlicet,

"I A. B. do truly and sincerely acknowledge, "profess, testify, and declare, in my conscience, "before God and this world, That our Sovereign "Lady Queen Anne is lawful and rightful Queen "of this realm, and of all other her Majesty's do- "minions, and countries thereunto belonging. "And I do solemnly and sincerely declare, That "I do believe in my conscience the person pre- "tended to be Prince of Wales, during the life of "the late King James, and since his decease, pre- "tending to be, and taking upon himself the stile "and title of King of England, by the name of "James the Third, or of Scotland by the name of "James the Eighth, or the stile and title of King "of Great Britain, hath not any right or title "whatsoever to the Crown of this realm, or any "other the dominions thereunto belonging. And "I do renounce, refuse, and abjure, any allegiance "or obedience to him. And I do swear, That "I will bear faith and true allegiance to her Ma- "jesty Queen Anne, and her will defend to the ut- "most of my power against all traiterous conspi- "racies and attempts whatsoever, which shall be "made against her person, crown, or dignity. And "I will do my best endeavour to disclose and "make known to her Majesty, and her successors, "all treasons and traiterous conspiracies, which I "shall know to be against her or any of them. "And I do faithfully promise, to the utmost of my "power, to support, maintain, and defend the suc- "cession of the Crown against him the said James, "and all other persons whatsoever, as the same is "and stands settled by an act, intituled, An act "declaring the rights and liberties of the subject, "and settling the succession of the crown to her "present Majesty, and the heirs of her body, being "Protestants; and as the same, by one other act, "intituled, an act for the further limitation of the "crown, and better securing the rights and liber- "ties of the subject, is and stands settled and en- "tailed after the decease of her Majesty, and for "default of issue of her Majesty, to the Princess "Sophia, Electress and Duchess Dowager of Ha-

" nover, and the heirs of her body, being Prote-
" stants. And all these things I do plainly and sin-
" cerely acknowledge and swear, according to these
" express words by me spoken, and according to
" the plain and common sense and understanding
" of the same words, without any equivocation,
" mental evasion, or secret reservation whatsoever.
" And I do make this recognition, acknowledg-
" ment, abjuration, renunciation, and promise,
" heartily willingly, and truly, upon the true faith
" of a Christian. So help me God."

IV. And that such Peers as live in Scotland, but shall not be present at such meeting so appointed, may take the said oaths, and make and subscribe the said declaration, in any Sheriff's Court in Scotland; and every Sheriff, or his deputy, before whom such oaths, and such declaration, shall be so made, subscribed, and repeated, shall and is hereby required to return the original subscription of such oath and declaration, signed by the Peer who took the same, and make a return in writing under his hand and seal, to the Peers so assembled, of such Peer's taking the said oaths, and making and subscribing the said oath and declaration; and such Peer shall be thereby enabled and qualified to make a proxy, or to send a signed list, containing the names of the sixteen Peers of Scotland for whom he giveth his vote; and such of the Peers of Scotland as, at the time of issuing such proclamation, reside in England, may take and subscribe the said oaths, and make, repeat, and subscribe the said declaration, in her Majesty's High Court of Chancery in England, her Majesty's Court of Queen's Bench, Common Pleas, or Court of Exchequer, in England; which being certified by writ to the Peers of Scotland at their meeting, under the seal of the Court where such oath and declaration shall be made, repeated, and subscribed, shall be sufficient to entitle such Peer to make his proxy, and to send a signed list as aforesaid: And in case any of the said Peers of Scotland, who, at any time before the issuing of such proclamation, have taken the said oaths, and made and subscribed the said declaration, in England or Scotland, to be certified as aforesaid, and if taken in Parliament to be certified under the great seal of Great Britain, shall, at the time of issuing such proclamation, be absent in the service of her Majesty, her heirs or successors, such Peer may make his proxy, or send a signed list.

V. Provided always, and be it enacted by the authority aforesaid, that such Peers of Scotland as are also Peers of England shall sign their proxies and lists by the title of their peerage in Scotland.

VI. And be it further enacted by the authority aforesaid, that no Peer shall be capable of having more than two proxies at one time.

VII. And be it further enacted by the authority aforesaid, That at such meeting of the Peers, they shall all give in the names of the persons by them nominated to sit and vote in the House of Peers in the Parliament of Great Britain; and the Lord Clerk Register, or two of the Principal Clerks of the Session, appointed by him to officiate in his name, shall, after the election is made, and duly examined, certify the names of the sixteen Peers so elected, and sign and attest the same in the presence of the Peers; which certificate, so signed and attested, shall, by the Lord Clerk Register, or two of the Principal Clerks of the Session, be returned into her Majesty's High Court of Chancery of Great Britain, before the time appointed for the meeting of the Parliament.

VIII. And be it further enacted by the authority aforesaid, That the Peers shall come to such meetings with their ordinary attendants only, according to and under the several penalties inflicted by the several laws and statutes now in force in Scotland, which prescribe and direct with what numbers and attendants the subjects there may repair to the public courts of justice.

IX. And be it further enacted by the authority aforesaid, That it shall not be lawful for the Peers so assembled and met together for the electing sixteen Peers to sit and vote in the House of Peers in the Parliament of Great Britain, to act, propose, debate, or treat of any other matter or thing whatsoever, except only the election of the said sixteen Peers; and that every Peer who shall at such meeting presume to propose, debate, or treat of any other matter or thing contrary to the direction of this act, shall incur the penalty of præmunire, expressed in the statute of the sixteenth year of King Richard the second.

X. And be it further enacted by the authority aforesaid, That all and every matter and things for or concerning the election of sixteen Peers of Scotland, to sit and vote in the House of Peers of the Parliament of Great Britain, directed and appointed to be observed and done by the articles of Union, and the said recited act of Parliament in Scotland, intituled, " Act settling the manner of " electing the sixteen Peers and forty-five mem-
" bers to represent Scotland in the Parliament of
" Great Britain," which act, by an act of parliament in England, in the fifth year of her Majesty's reign, intituled, " An act for an union of the
" two kingdoms of England and Scotland," was declared to be as valid as if the same had been part of and ingrossed in the articles of union, thereby ratified and approved, shall be observed and performed, except only wherein this act has further declared and provided.

XI. And be it further enacted by the authority aforesaid, That in case any of the sixteen Peers so chosen shall die, or become otherwise legally disabled to sit in the House of Peers of the Parliament of Great Britain, that her Majesty, her heirs and successors, shall forthwith, after such death or disability, issue a proclamation, under the

great seal of Great Britain, for electing another Peer of Scotland to sit in the House of Peers of the Parliament of Great Britain, in the room of such Peer deceased, or otherwise legally disabled; which proclamation shall be published at such time and places as is herein enacted, touching proclamations issued upon summoning a Parliament of Great Britain; and the Peers of Scotland, being qualified as is hereby directed, shall proceed to elect a Peer of Scotland, to sit in the House of Peers of the Parliament of Great Britain, in the room of such Peer deceased, or otherwise legally disabled, in such manner, and under such restrictions and regulations, as are by this act directed to be observed upon the electing sixteen Peers of Scotland to sit in the House of Peers of the Parliament of Great Britain.

XII. And be it further enacted by the authority aforesaid, That for the more effectual trial of any Peer of Great Britain that hath committed, or shall commit, any high treason, petit treason, misprision of treason, murder, or other felonies, in Scotland, commission or commissions may issue, under the great seal of Great Britain, to be directed to such person or persons as shall be therein named, constituting them, and such a number of them as shall be therein mentioned, justices of the Queen, her heirs and successors, to inquire, by the oaths of good and lawful men of such county and counties of Scotland as shall be named therein, of all treasons, misprisions of treasons, murders, and other felonies committed in such county by a Peer or Peers of Great Britain; which inquisition shall be taken and made in the same manner as indictments found and taken before Justices of Oyer and Terminer of any county of England, and shall be of the same effect, and proceeded upon in the same method as any inquisition found before Justices of Oyer and Terminer in England, whereby any Peer is indicted for any such offence; and such justices shall issue mandates or precepts to the sheriffs of the respective counties of Scotland, to return to them, at such day and place as they shall appoint, such and so many good and lawful men of the same county, as may be sufficient to inquire of the offences aforesaid; and twelve or more of them so returned, being sworn, shall be sufficient to make such inquiry, and find any indictment; and if the sheriff of such county shall not summon a sufficient number of men to make such inquisition, the justices that do proceed upon such commission may impose a fine upon such sheriff, which shall be levied by process out of the Exchequer; and if any of the persons summoned by the sheriff to inquire as aforesaid shall not appear, the justices may in like manner impose a fine upon such person so making default, to be levied in manner aforesaid.

XIII. And be it further enacted by the authority aforesaid, That every person who shall refuse to take the oath last herein before recited, or being a Quaker shall refuse to declare the effect thereof upon his solemn affirmation, as directed by an act of Parliament made in the seventh year of the reign of his late Majesty King William, intituled, "An act, that the solemn affirmation and "declaration of the people called Quakers shall "be accepted instead of an oath in usual form," (which oath and declaration the sheriff, president of the meeting, or chief officer taking the poll, at any election of members to serve in the House of Commons for any place in Great Britain, or commissioners for choosing burgesses for any place in Scotland, at the request of any candidate, or other person present at such election, are hereby impowered and required to administer,) shall not be capable of giving any vote for the election of any such member to serve in the House of Commons for any place in Great Britain, or commissioner to choose a burgess for any place in Scotland.

XIV. Provided always, and be it enacted by the authority aforesaid, That if any person, being a Quaker, shall refuse to take the said oath, being tendered to him in pursuance of an act made this present session of Parliament, intituled, "An "act for the better security of her Majesty's per-"son and government;" but shall, instead thereof, declare the effect of the said oath, upon his solemn affirmation, as directed by an act of Parliament made in the seventh year of the reign of his late Majesty King William the Third, intituled, "An act, that the solemn affirmation and declara-"tion of the people called Quakers shall be ac-"cepted instead of an oath in usual form," which affirmation shall be administered to such Quaker instead of the said oath, such Quaker shall not be liable to any the penalties or forfeitures for refusing the said oath when tendered to him, contained or mentioned in the said act, intituled, "An "act for the better security of her Majesty's per-"son and government."

No. IX.—FORMS RELATING TO THE ELECTION OF REPRESENTATIVE PEERS OF SCOTLAND,

From Robertson's Proceedings, p. 469 to 479.

The Editor has added some words in Italics in consequence of the Union with Ireland 1800.

Form of a Proclamation for an Election of Peers.

Whereas We have, in our Council, thought fit to declare our pleasure for summoning and holding a Parliament *of the United Kingdom* of Great Britain *and Ireland*, on the day of next ensuing the date hereof: In order therefore to the electing and summoning the sixteen Peers of Scotland who are to sit in the House of Peers in the said Parliament, We do, by the advice of our Privy Council, issue forth this our royal proclamation, strictly charging and commanding all the Peers of Scotland to assemble and meet at on next ensuing, between the hours of twelve and two in the afternoon, to nominate and choose the sixteen Peers to sit and vote in the House of Peers in the said ensuing Parliament, by open election and plurality of voices of the Peers that shall be then present, and of the proxies of such as shall be absent, (such proxies being Peers, and producing a mandate in writing, duly signed before witnesses,) and both the constituent and proxy being qualified according to law; and the Lord Clerk Register, or such two of the Principal Clerks of Session as shall be appointed by him to officiate in his name, are hereby respectively required to attend such meeting, and to administer the oaths required by law to be taken there by the said Peers, and to take their votes; and immediately after such election made and duly examined, to certify the names of the sixteen Peers so elected, and sign and attest the same in the presence of the said Peers the electors, and to return such certificate into our High Court of Chancery of Great Britain: And We do, by this our proclamation, strictly command and require the Provost of Edinburgh, and all other the Magistrates of the said city, to take special care to preserve the peace thereof during the time of the said election, and to prevent all manner of riots, tumults, disorders, and violence whatsoever: And We strictly charge and command, that this our royal proclamation be duly published at the market cross at Edinburgh, and in all the county towns in Scotland, twenty-five days at least before the time hereby appointed for the meeting of the said Peers to proceed to such election. Witness Ourself, at the day of in the year of our reign. God save the King.

When the election is to supply a vacancy by death, the proclamation is introduced thus:

Whereas, ——— was duly elected and returned to be one of the sixteen Peers of Scotland to sit in the House of Peers of the present Parliament *of the United Kingdom of* Great Britain *and Ireland*, and is since deceased, in order to the electing of another Peer in his room, We do, by the advice of our Privy Council, issue forth *this* proclamation, strictly charging, &c.

When the election is to supply a vacancy by one of the sixteen Peers being created a British Peer, the Proclamation is introduced thus:

Whereas, ——— was duly elected and returned to be one of the Sixteen Peers of Scotland to sit in the House of Peers in the present Parliament *of the United Kingdom* of Great Britain *and Ireland*; and whereas the said ——— hath by letters patent under the great seal of Great Britain, bearing date the day of in the year of our reign, been created a of our *United Kingdom* of Great Britain *and Ireland*, by the name, stile, and title of ——— by means whereof the said ——— hath ceased to sit in the House of Peers as a representative of the Peers of Scotland, whereby his seat in that character is become vacant, &c.

Oaths and Declarations to be sworn and taken by the Peers.

1. The oath of allegiance. 2. The oath of supremacy. 3. The declaration; all as contained in the 3d section of the before recited statute of the 5th Anne, cap. 23, mutatis mutandis. 4. The oath of abjuration, as in the same section, leaving out all between the word "conscience" in the 8th line of the oath, and the word "to" in the 42d line of the same, and in place thereof inserting as follows, viz. That not any of the descendants of the person who pretended to be Prince of Wales during the life of the late King James the Second, and since his decease pretended to be, and took upon himself the style and title of King of England, by the name of James the Third, or of Scotland by the name of James the Eighth, or the style and title of King of Great Britain, hath any right or title whatsoever to the crown of this realm, or any other the dominions thereunto belonging; and I do renounce, refuse, and abjure any allegiance or obedience to any of them: And I do swear, that I will bear faith and true allegiance to his Majesty King George; and him will defend, to the utmost of my power, against all traitorous conspiracies and attempts whatsoever which shall be made against his person, crown, or dignity: And I will do my utmost endeavour to disclose and make known to his Majesty, and his successors, all treasons and traitorous conspiracies which I shall know to be against him, or any of them: And I do faithfully promise, to the utmost of my power, to support, maintain, and defend the succession of the crown, against the descendants of the said James, and against all other persons whatsoever; which succession, by an act, intituled, "An act for "the further limitation of the crown, and better "securing the rights and liberties of the subject," is and stands limited.

Form of a Certificate of a Peer having taken the Oaths, &c. in Chancery.

George the Third, by the grace of God, of *the United Kingdom of* Great Britain *and Ireland*, King, Defender of the Faith, and so forth: To our most dear cousins, the Peers of Scotland, to be assembled and met at on the day of between the hours of by virtue of our proclamation, under the great seal of Great Britain, lately issued for the election, &c. (here the proclamation is briefly narrated,) greeting: We have inspected a certain record and register in our Court of Chancery in England, made and filed, and there remaining; by which it is manifest, that on the day of personally appeared in open court in the Chancery aforesaid, and then and there took and subscribed the oath of supremacy, and repeated and subscribed the declaration contained and specified in a certain act of Parliament, made in the sixth year of the reign of Anne late Queen of Great Britain, intituled, "An act to make further provision for "electing and summoning sixteen Peers of Scotland "to sit in the House of Peers in the Parliament of "Great Britain, and for trying Peers for offences "committed in Scotland, and for the further regu-"lating of votes in elections of members to serve in "Parliament;" and also took and subscribed the oath of allegiance contained and specified in a certain act of Parliament made in the first year of the reign of our late royal great-grandfather George the First, late King of Great Britain, intituled, "An act for the further security of his Majesty's per-"son and government, and the succession of the "crown in the heirs of the late Princess Sophia, "being Protestants, and for extinguishing the hopes "of the pretended Prince of Wales, and his open "and secret abettors;" and also took and subscribed the oath of abjuration contained and specified in a certain act of Parliament made in the sixth year of our reign, intituled, "An act for the altering the "oath of abjuration and the assurance, and for "amending so much of an act of the seventh year "of her late Majesty Queen Anne, intituled, An act "for the improvement of the union of the two king-"doms, as, after the time therein limited, required "the delivery of certain lists and copies, therein "mentioned, to persons indicted of high treason, or "misprision of treason," according to the form, direction, and appointment of the acts aforesaid. Witness Ourself, at Westminster, this day of in the year of our reign.

Form of a Certificate by a Sheriff-Depute or Substitute.

I sheriff of the shire of (or stewart of the stewartry of) do hereby certify to the Peers of Scotland to be assembled at upon the day of next, pursuant to the royal proclamation dated the day of in order to nominate and choose, &c. (as in the proclamation,) That appeared before me in an open and fenced sheriff-court of the said shire, holden by me at this day, where I did tender to him the oaths of allegiance and supremacy, and the declaration against Popery, upon paper, and the oath of abjuration upon parchment; which oaths he said *did* take and subscribe, and which declaration *he did* make, repeat, *and* subscribe; and I have herewith returned to the Peers of Scotland, to be assembled as said is, the oaths that were so taken and subscribed, and the declaration that *was so made*, repeated, and subscribed by the said together with his origi-

nal subscriptions thereunto, as is, by the acts of Parliament in that behalf made, directed: In witness whereof, I have signed and sealed these presents, at the day of in the year and of his Majesty's reign the year.

Form of a Proxy.

I considering that I cannot be personally present at the election of [the sixteen Peers of Scotland who are to sit in the House of Lords in the ensuing Parliament of *the United Kingdom of* Great Britain *and Ireland*,] (or) [another representative of the Peers of Scotland in the House of Lords of the present Parliament of *the United Kingdom of* Great Britain *and Ireland*, in the room of deceased,] (or) [another representative of the Peers of Scotland in the House of Lords of *the* present Parliament of the *United Kingdom of* Great Britain *and Ireland*, in the room of who has ceased to sit in the House of Lords of this present Parliament of *the United Kingdom of* Great Britain *and Ireland*, as one of the representatives of the Peers of Scoland;] and that, by certain acts of Parliament, powers are given to absent Peers of Scotland to grant proxies to other Peers of Scotland who shall be present at any election, to vote at such election, for and in the names of such absent Peers: Therefore, having perfect trust and confidence in , I do hereby, in obedience to his Majesty's royal proclamation, dated the day of charging and commanding all the Peers of Scotland, to assemble and meet at on the day of to nominate and choose, &c. (as in the proclamation referred to,) nominate and appoint the said to be my lawful and undoubted proxy to the effect underwritten; giving, granting, and committing full power and commission to my said proxy, for me, and in my name, to appear at the said ensuing meeting of the Peers of Scotland, and there to nominate and choose, &c. (as in the proclamation,) and to do every thing relating to the said election as fully in every respect as I could do myself, if personally present; hereby obliging myself to hold firm and stable whatever my said proxy shall lawfully do for me and in my name in the premisses. In witness whereof I have subscribed and sealed these presents, written on stamped paper, by in at this day of years, before these witnesses, &c. (as in other deeds.)

Form of a List.

I by virtue of the power allowed by act of Parliament to the Peers of Scotland, to send to any assembly of the said Peers, legally convened for nominating and choosing their representatives to sit and vote in the House of Lords of the Parliament of *the United Kingdom of* Great Britain *and Ireland*, lists of the Peers whom they may judge fittest to be nominated and chosen; and in obedience to his Majesty's royal proclamation, strictly charging and commanding all the Peers of Scotland to assemble and meet at on the day of next, to nominate and choose, &c. (as in the proclamation), do, by this my list, name to sit and vote in the House of Peers of the Parliament *of the United Kingdom* of Great Britain *and Ireland*, summoned to be holden as aforesaid. [If to supply a vacancy by death, "to "sit and vote in the House of Peers of the pre-"sent Parliament of *the United Kingdom of* Great "Britain *and Ireland*, in the room of the said " deceased." If to supply a vacancy created by conferring a British Peerage, "in the room of , who has ceas-"ed to be a representative of the Peers of Scot-"land in the House of Peers of this present Par-"ment of *the United Kingdom of* Great Britain *and* "*Ireland*."] In witness whereof, I have subscribed and sealed this my list, written by in on stamped paper, at the day of before these witnesses, &c. (as in any other deed.) (Addressed) To the Lord Clerk Register of Scotland, or his deputies who are to officiate at the ensuing election to be made by the Peers of Scotland, of sixteen Peers to sit and vote as their representatives in the House of Lords of the ensuing Parliament *of the United Kingdom* of Great Britain *and Ireland*. [Or, of a Peer to sit and vote as one of their representatives in the House of Lords of the present Parliament *of the United Kingdom* of Great Britain *and Ireland*.]

Proxies, as well as lists, are now almost always written on stamped paper. (Robertson's Proceedings, 478.)

X.—PROCEEDINGS RELATIVE TO THE PEERAGE BILL, 1719.

On the 28th February 1719, in the House of Lords, on a motion, "That a day may be appointed for the House to be in a Committee, to take into consideration the present state of the Peerage of Great Britain," it was ordered, "That the House be put into a committee thereupon on Monday next; and the Lords to be summoned, with notice of the occasion."

On the 2d of March, the House being moved, That the order of the day, for the House to be in a Committee, to take into consideration the present state of the Peerage of Great Britain, might be read, Earl Stanhope acquainted the House, that his Majesty had commanded him to deliver a message to this House, under his royal sign manual; which was read by the Lord Chancellor, and is as follows, videlicet, "George R. His Majesty being informed that the House of Peers have under consideration the state of the Peerage of Great Britain, is graciously pleased to acquaint the House, that he has so much at heart the setting the Peerage of the whole kingdom upon such a foundation as may secure the freedom and constitution of Parliament in all future ages, that he is willing that his prerogative stand not in the way of so great and necessary a work." Then an address of thanks to the King for his message was ordered; and the message was referred to the committee appointed to take into consideration the present state of the Peerage of Great Britain. The House was put into this Committee on the 3d and 4th March. On the latter day, the Earl of Clarendon reported, That the Committee of the whole House had further considered the matter to them referred, and were come to several resolutions, which he was ready to report when the House should please to receive the same. It was then ordered, that the report should be received next day.

On the 5th of March, the Earl of Clarendon, (according to order) reported from the Committee of the whole House, appointed to consider of the present state of the Peerage of Great Britain, the several resolutions following, videlicet,

1. That it is the opinion of this Committee, that in lieu of the sixteen elective Peers to sit in this House on the part of Scotland, twenty-five Peers, to be declared by his Majesty, shall have hereditary seats in Parliament, and be the Peers on the part of the Peerage of Scotland.

2. That such twenty-five Peers shall be declared before the next session of Parliament.

3. That nine of the said twenty-five may be appointed by his Majesty, to have immediate right to such hereditary seat in Parliament, subject to the qualifications requisite by the laws now in being.

4. That none of the remaining sixteen to be declared by His Majesty, or their heirs, shall become sitting Peers of the Parliament of Great Britain until after the determination of this present Parliament, except such as are of the number of the sixteen Peers now sitting in Parliament on the part of the Peerage of Scotland, and their heirs.

5. That as any of the twenty-five of the Peers of Scotland, to be declared by his Majesty, and their heirs, shall fail, some one or other of the Peers of Scotland shall be appointed by his Majesty, his heirs and successors, to succeed to every such Peer so failing; and every Peer so appointed, shall have hereditary seat in Parliament, and be one of the Peers on the part of the Peerage of Scotland, in the Parliament of Great Britain; and so, *toties quoties*, as often as any such failure shall happen.

6. That the hereditary right of sitting in Parliament, which shall accrue to the twenty-five Peers of Scotland, to be declared by his Majesty, shall be so limited as not to descend to females.

7. That the number of Peers of Great Britain, on the part of England, shall not be enlarged, without precedent right, beyond six above what they are at present; but as any of the said present Peers, or such six new Peers, in case they be created, shall fail, their numbers may be supplied by new creations of Commoners of Great Britain, *born within the Kingdom of Great Britain or Ireland, or any of the dominions thereunto belonging, or born of British parents*, and so, *toties quoties*, as often as such failure shall happen.

8. That no person be, at any time, created by writ, nor any peerage granted by patent, for any larger estate than the grantee, and the heirs male of his body.

9. That there be not any restraint on the Crown from creating any of the Princes of the blood Peers of Great Britain, with right to sit in Parliament, *nor from promoting any Peer having seat in Parliament, to any higher rank or degree of dignity.*

10. That whenever those Lords now sitting in

Parliament, whose sons have been called by writ, shall die, then it shall be lawful for his Majesty, his heirs and successors, to create a Peer to supply the number so lessened.

10. That every creation of a Peer hereafter to be made, contrary to these resolutions, shall be null and void to all intents and purposes.

The said resolutions were read by the clerk, and afterwards paragraph by paragraph; and with the amendments of the 7th and 9th of the said resolutions (in Italics), were agreed to by the House; and the Judges were ordered to prepare and bring in a bill, pursuant to the before mentioned resolutions.

On the 14th of March, the Judges delivered in a bill for that purpose, intituled, "An act for "settling the Peerage of Great Britain;" and it was that day read a first time. On the 16th of March it was read a second time, and committed. The House was in a Committee on this bill on the 18th, 20th and 26th of March. On the last mentioned day the Chairman informed the House, That the Committee had gone through the bill and made several amendments thereunto; which he was ready to report. Ordered that the report of the said amendments be received on Monday the 6th of April next. In the mean time, three petitions were at different times presented to the House, by several Peers of Great Britain, who at the time of the Union were Peers of Scotland, praying to be heard by their counsel against such parts of the bill as concerns the Peers of Scotland; which petitions were ordered to lie on the table. The Earl of Clarendon, on the 6th of April, reported the amendments made by the Committee to the said bill; which being read twice, were, with the amendments to some of them, severally agreed to by the House; and another amendment was made by the House to the bill. Then the bill with the amendments was ordered to be engrossed. On the 9th of April, ordered, That the bill be read a third time on Tuesday next; and the Lords to be summoned. After which, a petition against the bill, by Lord Cranstoun was presented, read, and ordered to lie on the table. On the 14th of April, the third reading of the bill was put off to that day fortnight; but Parliament having been prorogued on the 18th of April, the bill was lost. *Robertson's Proceedings*, 73 to 77. This bill was brought in by the Duke of Somerset. The speakers in support of it were the Dukes of Argyll, Montrose, and Roxburghe, the Marquis of Annandale, the Earl of Ilay, and several English Peers; and in opposition to it the Earl of Oxford, Earls Cowper and Stanhope.

ADDITIONS AND CORRECTIONS.

Abercorn. P. 1. Lord Claud Hamilton was fourth, not third, son of the Duke of Chatelherault. His forfeiture took place 19th August 1568. Rec. Parl. 807. P. 2. His wife, Margaret Seton, died in 1616. P. 3. col. 2. line 51, for third, read second. P. 4. James, first Earl of Abercorn, died 16th March 1618; his son James was served heir of him 6th August 1618. P. 11. Inscription at Cobham: Here lies the Hon. Mrs Agnes Hamilton, daughter of David Cockburn of Ayr, M. D. wife of the Hon. Charles Hamilton of Painshill, son of James, Earl of Abercorn, ob. 18th October 1772, æta. 38. P. 13. col. 1. line 12, for ought to have been counted, read ought to be counted. P. 13. James, Viscount Hamilton, married at London, 25th November 1809, Harriet, born 8th July 1792, third daughter of the Hon. John Douglas, youngest son of James, fourteenth Earl of Morton; they have a son, born 21st January 1811, and a daughter, born April 1812.

Abercrombie. P. 14. It is not clear whether James Sandilands, the first of this house, was son of the first or second marriage of Sir James Sandilands of Calder. A charter was granted, 9th July 1540, to Catherine Scott, relict of James Sandilands of Cruvy, for life, and James Sandilands her son in fee, of half of the lands of Brokland. Mag. Sig. L. xxvii. No. 126. P. 15. The charter of Dalry to Helen Sandilands is dated 25th April 1545, from George Towers of Innerleith, in her virginity. Ib. L. xxx. No. 77. James Sandilands (No. III.) died in March 1579. Supplementary retour.

Aberdeen. P. 18. Sir John Gordon of Haddo was created a baronet by patent dated at York, 13th August 1642. P. 22. Anne, dowager Countess of Dumfries and Stair, died at Brandsbury, 21st August 1811, æta. 73. Her second son, William Gordon, M. P. married at London, 3d February 1810, Caroline, born 1789, youngest daughter of Sir George Cornwall of Moccas Court, in the county of Hereford, baronet, niece of the Countess of Malmesbury and Lady Minto. He was rechosen for Worcester at the general election 1812. Her third son, Lieutenant-Colonel Alexander Gordon, fell gallantly fighting at the battle of Talavera, 28th July 1809, unmarried. P. 23. The Hon. Alexander Gordon was sent home with Lord Wellington's dispatches, announcing the capture of Ciudad Rodrigo in January 1812, and was next month promoted to the rank of lieutenant-colonel in the army. The Hon. Charles Gordon was knighted at the installation of Knights of the Bath, 29th May 1812, as proxy for the Hon. Sir John Hope, K. B. Catherine Elisabeth, Countess of Aberdeen, died at London, 1st March 1812, in her 29th year.

Aboyne. P. 24. Charles, first Earl of Aboyne, was first married to Margaret Irving, by whom he had a daughter, Lady Anne Gordon, who was, 17th June 1665, served heir of Lady Margaret Irving, wife of Charles, Earl of Aboyne, her mother. Inq. Ret. xxxiii. 104. P. 25. Lieutenant-Colonel John Gordon, married at Barnwood in Gloucestershire, 22d November 1810, Eliza, daughter of Robert Morris, Esq. M. P. for the city of Gloucester. P. 26. Lady Margaret Beckford's two daughters were Margaretta Maria Elisabeth, married in May 1811 to James Orde, Esq. lieutenant-colonel of the 94th regiment of foot, and Susan Euphemia, married at London, 25th April 1810, to Alexander, Marquis of Douglas and Clydesdale.

Airly. P. 29. Walter de Ogilby, scutifer, had a safe conduct into England to treat for the release of King James I., 26th April 1416,—Fœdera, IX. 341,—and to Durham to meet the King, 13th December 1423. Ib. X. 309. Walter de Ogilby, miles, was ambassador to England, 24th January 1430. Ib. 446. Walter de Ogilby, magister hospitii, concluded a treaty with the English, 15th December 1430. Ib. 487. Walter de Ogilvy, miles, going to the general council at Basil, had a safe conduct through England, 30th November 1433. Ib. 537.; and he had a safe conduct to England, 18th September 1437. Ib. 677. P. 31. James, third Lord Ogilvy of Airly, seems an interpolation, not being documented by charters, and there appears great confusion in the statement of the marriages of the daughters of this family. P. 31. James, eldest son of James, fourth Lord Ogilvy of Airly, was killed at the battle of Pinkie, 10th September 1547, in the lifetime of his father, of course never had the title of Lord Ogilvy, which was inherited by his son James, fifth, not sixth, Lord Ogilvy of Airly. P. 32. The name of the brother of the first Earl of Airly is James in the discharge there quoted, but this seems a mistake for John, as it is evident from two retours, of 4th November 1662 and 25th January 1666, that *John* Ogilvy, brother-german of James, Earl of Airly, had two daughters, his heirs portioners, Anna, married to David Livingston of Balcoway, and Margaret, married to John Hunter of Baldovie. Inq. Ret. xxvii. 14. xxviii. 186. James, Lord Ogilvy, was created Earl of Airly, Lord Ogilvy of Alyth and Lintrathen, not Earl of Airly and Lintrathen, and died before 3d August 1686, when his son was served heir of him. Ib. xxxix. 183. P. 33. The Hon. Sir Thomas Ogilvy was killed in the 29th, not 39th year of his age. P. 36. David Ogilvy of Airly dying unmarried at Kinnaltyhouse, 6th April 1812, the titles of Earl of Airly, Lord Ogilvy of Alyth and Lintrathen, which had been dormant since 1761, revived in his uncle, the Hon. Walter Ogilvy of Clova, now fifth Earl of Airly. His eldest son, Captain John Ogilvy, died at Berbice, 24th August 1809; his second son David is now by courtesy styled Lord Ogilvy, and the other children have the rank and style of sons and daughters of an Earl. David, Lord Ogilvy, married at Edinburgh, 7th October 1812, Clementina, only child of the deceased Gavin Drummond, Esq. P. 36. col. 2. line 5, for Earl of Airly and Lintrathen, read Earl of Airly, Lord Ogilvy of Alyth and Lintrathen.

Airth. P. 36. The retours of William, Earl of Monteith, of David, Earl of Stratherne, abavi nttavi, Malise, Earl of Monteith, proavi abavi, and Patrick Graham, Earl of Stratherne, proavi attavi, are dated 25th May 1630. Inq. Ret. x. 364. The date of the creation of the earldom of Monteith was 6th September 1427, not 1428, as in the charter here recited; Suth. Add. Case, V. 56; and Malise, Earl of Menteth, was sent to England as a supplementary hostage for King James I., 9th December 1427. Fœdera, X. 381.

Albany. P. 44. The marriage treaty of Alexander II. at York, 18th June 1221, was witnessed Waltero filio Alani Senescallo. Fœdera I. 252. He was guarantee of a treaty betwixt Alexander II. and Henry III. 1237. Ib. 376. He was ambassador to France 1239, not 1329. His daughter, married to Patrick, Earl of March, was Euphemia, not Christian. P. 46. Sir John Stewart of Ralston had a second daughter, Marjory, married to Sir Henry Douglas of Lochleven. Walter Steward de Raylston, chivaler, had a safe conduct into England, 15th May 1412. Fœdera, VIII. 736. P. 48. The date of the dispensation of Marjory Stewart's marriage to the Earl of Moray was 11th July 1370, not 1371. A. Stewart, 439. The second daughter of King Robert II. was Johanna, not Jean. His sixth daughter, Egidia, was married to William Douglas, lord of Nithsdale, not lord of Galloway and Nithsdale. P. 49. Johannes filius et hæres Senescalli Scotiæ, was one of the hostages for David II. when he was allowed to visit Scotland, 5th September 1351. Fœdera, V. 724. P. 50. col. 1. line 26, for Archibald and James, Earls of Douglas, read Archibald, fifth Earl of Douglas, and James, killed with his father 1424. P. 51. King James I. was murdered 21st February 1436-7, (not 1437-8,) in the 43d year of his age. His twin sons, 1. Alexander, and, 2. James, were born at Holyroodhouse, 16th October 1430. Instead of 3. Jean, and 6. *Annabella*, daughter of King James I., read 3. Johanna, married, first, to James, third Earl of Angus, without issue; secondly, to James, first Earl of Morton, and had issue. Charter 13th May 1459. Mag. Sig. L. v. No. 161. 6. Annabella, married to George, Earl of Huntly. Charter 10th March 1459-60. Ib. No. 19. P. 51. A matrimonial treaty was concluded betwixt Margaret, youngest daughter of King James II., and Antony, Earl of Rivers, Lord of Scales; she had a safe conduct into England with 30 persons, 22d August 1482, and commissioners were appointed to carry the treaty into effect, 14th December 1482. Fœdera, XII. 162, 171. Margaret, Queen of James III., died 1486. Caledonia, II. vii. The children of James III. were, 1. James IV. 2. James, Duke of Ross, chancellor of Scotland, and Archbishop of St Andrews. He was the theme of Ariosto's panegyric, not Alexander, natural son of James IV., who was celebrated by Erasmus. 3. Alexander, on whom the earldom of Marr was conferred by royal

charter of 2d March 1485-6. Mag. Sig. L. xi. No 53. He survived his father. Alexander, Lord Home, had the custody of him 1488, and he is mentioned in an act of parliament 1489. P. 52. The charters of the forfeited estates of the Earl of Angus to the natural children of James V. were in these terms: 8th October 1534, Jacobo Stewart, filio naturali Regis, Jacobo Stewart, ejus fratri secundo genito de Margareta Erskine, Jacobo Stewart, ejus fratri tertio genito de Cristina Berclay, Roberto Stewart, etiam filio naturali Regis, and the heirs male of their bodies lawfully to be procreated respectively. Mag. Sig. L. xxv. No. 241. 31st August 1536, Jacobo Stewart, filio naturali inter Regem et Margaretam Erskine procreato, Roberto Stewart, suo fratri, Regis filio naturali inter ipsum et Eufamiam Elphinston procreato, Jacobo Stewart, suo fratri, Regis filio naturali inter ipsum et Cristinam Berclay procreato, Jacobo Stewart, suo fratri, seniori Regis filio naturali inter ipsum et Elisabetham Shaw procreato, and the heirs male of their bodies lawfully to be procreated. Ibid. No. 334. Jean Stewart, Countess of Argyll, was natural daughter of James V. by Elisabeth Betoun, as appears from a legitimation under the great seal, 18th October 1580, Jeannæ Stewart, Comitissæ de Argyll, inter quondam Jacobum V. Regem et Elisabetham Betoun procreatæ. Mag. Sig. L. xxxv. No. 275. In the great seal register, L. xxxii. No. 367, is a charter dated 22d May 1563, to John, Lord Darnley, brother of the Queen, and the heirs male of his body; which failing, to James, Earl of Moray, ejus fratri, Roberto, commendatario monasterii Sanctæ Crucis ipsorum fratri, Roberto Stewart, etiam eorum fratri naturali, and the heirs male of their bodies respectively; which failing, to the heirs of Lord Darnley, of the lands of Ordinhuffis and Incheduffe in Banffshire, forfeited by John, Lord Deskford. This John, Lord Darnley, was probably the natural son of James V. by a daughter of the Earl of Lennox, called, in the note, p. 53, Adam, prior of the charter-house at Perth; and the charter establishes, that the King had two natural sons of the name of Robert. P. 53. col. 1. line 11, for by hands, read by the hands. Col. 2. Marie Louise, eldest daughter of the Duchess of Orleans, was born 27th March 1662, not 1602, as misprinted. P. 55. James Francis Edward, Prince of Wales, was born 10th June 1688, not 1668 as misprinted. P. 57. A charter of Robert, Duke of Albany, of 24th November 1413, is witnessed David de Edmondstoun, Johne de Sevyntoun, Patricio de Abernethi, nepotibus nostris dilectis. Reg. Mag. Sig. 255. Murdac, Duke of Albany, first occurs in the Fœdera, VII. 683, as gunrantee of a treaty with England, 16th July 1390, under the designation of Murchach Stewart. P. 58. His daughters, if he had any, died before their mother without issue; and his four sons were, 1. Robert, Master of Fyfe, who had a safe conduct into England to treat for his father's release, 12th May 1415, being designed Robert Steward, son and heir of Murchawe de Fyfe, son of the Duke of Albany. Fœdera, IX. 244. 2. Walter, who had a safe conduct into England, as hostage for his father, 18th May 1412, under the designation of Walter Steward de Levenax, filius Mordaci Steward. Ib. VIII. 735. He was a hostage for King James I. 31st May 1421, under the designation of Walter Stewart, son and heir of the Duke of Albany. Ib. X. 125. A dispensation was granted in May 1421, permitting Walter Stewart de Levenax, and Jonet de Erskyn, daughter of Robert de Erskyn, knight, to marry, notwithstanding of their being within the third degree of consanguinity. A. Stuart 451. 3. Alexander, probably the same Alexander Stewart, for whose marriage with Egidia, daughter of William Douglas, lord of Nithsdale, and relict of Henry Soeuclar, knight, a dispensation was granted 29th April 1418. A. Stuart, 449. Alexander Stewart de Fyff had a safe conduct to meet King James I. at Durham, 13th December 1423. Fœdera, X. 309. 4. Sir James. A safe conduct was granted 20th April 1464, to Alexander Duke of Albany, designed Princeps Scotorum, Dux Albaniæ, Comes de la Marche, et Dominus de Annanderdale et de Man, cum 200 servientibus. Ib. XI. 250. P. 59. A charter was granted, 16th October 1532, of the lands of Petcarne, in Strathern, Alexandro Stewart, juniori, filio naturali Alexandri Stewart, filii naturalis quondam Alexandri Stewart, Ducis Albaniæ, and the heirs male of his body, which failing, Magistro Alexandro Stewart, seniori fratri suo naturali. Mag. Sig. L. xxiv. No. 271.

Angus. P. 62. The treaty betwixt Alexander II. and Henry III. 1237, was witnessed by Comes de Anegus. Fœdera, I. 376. P. 65. Isobel, Countess of Marr and Moray, daughter of Sir Alexander Stewart of Bonkyl, married thirdly, William de Cariswell, and died in 1347, her son and heir being then under age. Lord Hailes's MS. note. There is a grant dated 15th January 1348, to William de Careswell, of the custody of all the lands in Scotland and Berwick-upon-Tweed, quæ fuerunt Isabellæ nuper Comitissæ de Marr, consortis ejusdem Willielmi defunctæ. Fœdera, V. 604. The Earl of Angus had safe conducts as a commissioner to treat with the English 28th June and 4th September 1351. Ib. 711, 723. He was one of the three great Lords delivered as hostages to the English for David II., 16th August 1357, had safe conducts to go north, 20th March 1358, into Scotland, 1st July 1358, to return to England, 8th August 1359, and a monition was made to him to render himself as a hostage, 25th May 1390. Ib. VI. 36, 80, 92, 133, 168.

Annandale, (Murray.) P. 67. Karolus de Murray *had a safe conduct to pass through* England with the Earl of Douglas to Rome, 12th November 1450, and 12th May 1451. Ib. XI. 277, 285. Karolus Murrefe de Koxkule was conservator of a truce with the English, 11th June 1457, and, Karolus Murrefe de Kokpole, 12th September 1459. Ib. XI. 393, 426. P. 68. 30th March 1647. Henricus Lindsay de Bastarrel, hæres Agnetis Murray, matris, et hæres Domini Ricardi Murray de Cockpool, fratris avi ex parte matris. Inq. Ret. xix. 130, 136.

Annandale, (Johnston) P. 71. Adam Johnston of Johnston is described in the Acta Auditorum 1489-90, p. 137, as brother and heir of John Johnston, therefore the pedigree must be erroneous. P. 77. Sir James Johnstone of Westerhall, baronet, presented to the King a petition, (referred to the House of Lords by his Majesty's command, 12th June 1792) of this tenor:

That, in the year 1633. His Majesty King Charles I. was graciously pleased by patent to promote to the dignity of peerage, James Johnston of Johnston, by the title, style, and dignity of Lord Johnston of Lochwood, sibi suisque hæredibus masculis in perpetuum.

That, in the year 1643, his said Majesty King Charles I. was further graciously pleased by patent to promote the aforesaid James, Lord Johnston, to the dignity of an Earl, by the title, style, and dignity of Earl of Hartfell, Lord Johnston of Lochwood, Moffatdale, and Evandale, sibi suisque hæredibus masculis in perpetuo.

That, in the year 1661, his Majesty King Charles II. was also graciously pleased by patent to confer on James, then Earl of Hartfell, the farther dignity of Earl of Annandale, by which patent that dignity was granted Jacobo Comiti de Hartfell ejusque hæredibus masculis, whom failing, to the eldest heir female of his body, and the heirs male of the body of such heir female, with an ultimate limitation to his heirs general, to be called, in all times coming, Earls of Annandale and Hartfell, Viscounts of Annand, Lords Johnston of Lochwood, Lochmaben, Moffatdale, and Evandale.

That, in the year 1701, his Majesty King William was graciously pleased by patent to confer upon William, then Earl of Annandale, the dignity of Marquis of Annandale, and that dignity was thereby granted to him et hæredibus suis masculis quibuscunque, in suis prædiis et statu omni tempore futuro successuris, to be called Marquisses of Annandale, Earls of Hartfell, Viscounts of Annan, Lords Johnston of Lochwood, Lochmaben, Moffatdale, and Evandale.

That George, the last Marquis of Annandale, died on or about the 29th day of April 1792, without leaving any issue of his body.

That all the heirs male of the body of James, who was first created Lord Johnston in 1633, and afterwards Earl of Hartfell, in 1643, and also all the heirs male of the body of James, who was created Earl of Annandale in 1661, and all the heirs male of the body of William, who was created Marquis of Annandale in 1701, have failed and become extinct.

That your petitioner is the nearest heir male of the aforesaid several persons who were ennobled in manner abovementioned, and is therefore entitled to hold and enjoy the several honours, titles, and dignities so conferred upon them, with descent to their heirs male whatsoever.

Your petitioner therefore humbly prays, that your Majesty will be graciously pleased to declare that the title, honour, and dignity of Marquis of Annandale, and others above mentioned, held and enjoyed therewith, of right now belong to your said petitioner.

James Johnstone, Earl of Hopetoun, applied to the House of Lords, by a petition read 15th May 1794, reciting the foregoing petition, and proceeding thus:

From the statement in the said petition it appears, that Sir James Johnstone undertakes to establish, in point of fact, that he is connected with the persons who were created Peers of Scotland, by the titles aforesaid, in the male line, and that all the nearer males have failed; and the petitioner is informed, that he proposes to do so by a long deduction of written evidence from a very remote period; and in point of law he is to maintain two propositions, 1st, That the limitation of a dignity to the heirs male of the patentee, lets in not only the heirs male of the patentee's body, but heirs male generally, or collaterals: And, 2dly, That a dignity limited to the heirs male whatsoever of the patentee, succeeding to him in his lands, manors, or estates, passes to one who does not state or allege that he has so succeeded, or is entitled to succeed. The petitioner, the Earl of Hopetoun, is lineal representative and heir general of the said James Johnstone, created Lord Johnstone, and Earl of Hartfell, and of the said James, Earl of Hartfell, created Earl of Annandale, and of the said William, Earl of Annandale, created Marquis of Annandale, being descended from the Lady Henrietta, the only daughter of the said Marquis; and the petitioner has taken, in consequence of that descent, and now enjoys without dispute, the whole lands or manors and estates which belonged to the said Marquis at the time that dignity was conferred on him. The petitioner is therefore interested to attend to the claim, and investigate the right or pretensions of the said Sir James Johnstone, in different respects; but it will suffice to mention one, namely, that he must be entitled to take under the limitation of the patent 1661, to the eldest heir female of the patentee's body, and the heirs male of the body of such heir female, in case the prior limitation to the heirs male

of the patentee be spent, or does not admit of the construction put upon it by the claimant. And therefore praying their Lordships, that he may have leave to appear for his interest by his counsel, when the matter of the said petition and claim of Sir James Johnstone, Baronet, comes to be heard; and that in the meantime their Lordships will direct the claimant previously to communicate his pedigree, and the documents or written evidence by which he proposes to establish it, to the petitioner and his counsel and agents.

It was ordered that the petitioner be at liberty to appear by his counsel, before the Committee of Privileges, to be heard for his interest as desired.

James Johnstone, Earl of Hopetoun, also presented to the King a petition (referred to the House of Lords by his Majesty's command, 17th December 1795,) of this tenor:

That his Majesty King Charles II. by his royal letters patent under the great seal of Scotland, bearing date 13th February 1661, was graciously pleased, for the reasons therein set forth, to make, constitute and create James, then Earl of Hartfell, ejusque hæredes masculos, quibus deficientibus, hæredem femellam natu maximam absque divisione ex corpore dicti Jacobi Comitis de Hartfell hactenus procreatam seu procreandam, ac hæredes masculos ex corpore dictæ hæredes femellæ natu maximæ legitime procreandos, cognomen et arma de Johnstone gerentes, quibus omnibus deficientibus, dicti Jacobi Comitis de Hartfell proximos hæredes quoscunque, Earls of Annandale, and Hartfell, Viscounts of Annand, Lords Johnstone of Lochwood, Lochmaben, Moffatdale, and Evandale, with the privileges of Lords of Parliament, and with precedency as Earls of Annandale, from the date of the patent of the earldom of Hartfell, granted in favour of James, Earl of Hartfell, in the year 1643.

That the said James, so created Earl of Annandale and Hartfell, Viscount of Annand, &c. accordingly enjoyed the said honours, and was succeeded therein at his death by his son William, Earl of Annandale, who was created Marquis of Annandale, to hold to him and his heirs whatsoever, enjoying his lands and estates, by letters patent granted by his Majesty King William, bearing date 4th June 1701. The other sons of the said James, Earl of Annandale and Hartfell, died without issue.

That the said William, Marquis of Annandale, and Earl of Annandale and Hartfell, died, leaving several sons, and only one daughter, the Lady Henrietta, who was married to Charles, Earl of Hopetoun, your petitioner's grandfather, and she was succeeded by her eldest son John, late Earl of Hopetoun, who was succeeded by his eldest son, your Majesty's petitioner.

That all the sons of the said William, Marquis of Annandale, died unmarried, the last of them being George, late Marquis of Annandale, who died in the year 1792, and in him the whole male issue of the body of the said James, created Earl of Annandale in 1661, became extinct.

That under the aforesaid limitation in the letters patent before recited, to the eldest heir female without division of the body of the said James, created Earl of Annandale and Hartfell, and the heirs male of the body of the said heir female, bearing the surname and arms of Johnston, your Majesty's petitioner conceives, and is advised, that through the failure of the heirs male of the patentee's body, he is become entitled to the honours, conferred by the said letters patent, according to the pedigree before set forth.

Your Majesty's petitioner therefore most humbly prays, that your Majesty will be graciously pleased, upon proof being made of the facts before stated, [to declare] that your petitioner has right to the said titles, honours, and dignities of Earl of Annandale and Hartfell, Viscount of Annand, and Lord Johnstone of Lochwood, Moffatdale, and Evandale, according to the terms and limitation of the said letters patent of his Majesty King Charles II. in favour of your petitioner's ancestor.

A petition of Sir John Lowther Johnstone of Westerhall, baronet, to the King, claiming the title of Marquis of Annandale, &c. was referred to the House of Lords, 17th June 1805, by his Majesty's command. No determination has been come to on any of these claims.

Arbuthnott. P. 84. The Hon. Francis Arbuthnott died 19th October 1809. The Hon. Duncan Arbuthnott, lieutenant in the 95th foot, was killed in action with the French near Sabugal, in Portugal, 3d April 1811. The Viscountess of Arbuthnott (Lady Margaret Ogilvy, eldest daughter of Walter, fifth Earl of Airly,) had a daughter 6th February 1810, and a son 13th August 1812.

Argyll. P. 85. Sir John Campbell of Lochow, was killed at the string of Lorn, (not Cowal,) a narrow pass between Lochow and what was then Macdougall's country, by one of the Macdougalls, who stationed himself behind a rock there. A small cairn marks the place where he fell, and it is a traditionary report that he was buried at Kilchrenan. P. 87. Duncan, Dominus de Argyll, was delivered as a hostage, 28th March 1424, and released 16th July 1425. Fœdera, X. 327, 348. P. 88. If Archibald Campbell married a daughter of Murdac, Duke of Albany, he had no surviving issue by her, otherwise her children would have succeeded to the earldom of Lennox. P. 90. Archibald, second Earl of Argyll, had a safe conduct as ambassador to England, 26th June 1511. Ib. XIII. 305. Colin, third Earl of Argyll, died be-

tween 25th October 1529 and 15th January 1529-30. See Vol. II. p. 535. His daughter's name was Elisabeth, not Margaret. P. 91. Jean Countess of Argyll's mother, was Elisabeth Betoun, not Carmichael. P. 93. Sir Colin Campbell of Lundie, knight baronet, was served heir male of his father, Sir Colin Campbell of Lundie, in the lands of Polgavie in Perthshire, 22d May 1630. Inq Ret. xiii. 26. Colin Campbell of Lundie was served heir of Colin Campbell of Lundie his father, 23d April 1674, and heir male of him, 15th June 1676. Ib. xxxi. 5. xxxiii. 332. P. 100. Lord Niel Campbell had by his first wife a daughter, Mary, married to Henry Bothwell of Glencorse, who claimed the title of Lord Holyroodhouse. P. 107. John, Duke of Argyll and Greenwich, was born 10th October 1680, according to the inscription on his monument, which must be considered as the most correct statement; of course he was only in his fifth year when he fell out of the window at Leithington, and in his 63d year at his death. His Grace's youngest daughter, Lady Mary Coke, died in 1811, having survived her husband 58 years. P. 120. Lord John Douglas Edward Henry Campbell was rechosen for Argyllshire at the general election 1812. P. 120. George William, sixth Duke of Argyll, married at Edinburgh, 29th November 1810, Lady Caroline Elisabeth Villiers, third daughter of George Bussy, fourth Earl of Jersey, who was first married, 25th July 1795, to Henry William, Lord Paget, now Earl of Uxbridge, whom she divorced.

Arran. P. 124. James Stewart, sometime Earl of Arran, had three sons: 1. James, Lord Ochiltree. 2. Henry, who had a son, William, as is proved by a discharge dated at Kirkwall, 24th May 1630, by Harie Stewart, "sumtyme "sheriff-depute and chalmerlane of the erledome "of Orkney, having full power grantit to me be "James, Lord Stewart of Uchiltrie, my brother, "sherriff-principal and chalmerlane of the said "erledome," witnessed by William Stewart his son. 3. Frederick, documented by a discharge by James Stewart of Previck, and Harie Stewart, his brother-german, sons lawful to James, Lord Stewart of Newtoun, sumtyme chancellar of Scotland, for ourselves and the said James Stewart, as takand burding on me for the said Harie Stewart and for Frederick Stewart, lawful bairns of the said umquhile James, Lord Stewart of Newtoun, dated 2d July 1606, for 11,000 merks, by James, Laird of Torthorwald, for himself and in name and behalf of Charles Douglas and John Inglis his servitors, and John Douglas of Andershaw, in name of *kyndbute* and assythment for the slaughter of the said umquhile James, Lord Stewart of Newtoun. [Documents produced by Lord Castlestewart, when he claimed the title of Lord Ochiltree, 1790.]

Aston. P. 129. col. 1. line 20, for closhes read clothes. P. 131. The second motto of the Astons, Contra el rapido muero, is from Collins' Baronetage, I. 122. The title of Lord Aston was not inserted in the union roll, nor in the return from the Lords of Session to the House of Lords 1740, although it appears to be an existing peerage.

Atholl. Stewart. P. 137. Walter, Earl of Atholl and Caithness had three sons, 1. David; 2. John; 3. Alan. David, filius et hæres Comitis de Catnesse, and John Styward, frater, had a safe conduct into England as hostages for Mordyk Fyf, son of the Duke of Albany, 31st July 1408. Fœdera, VIII. 544. David was delivered to the English as a hostage for James I. 28th March 1424. Ib. X. 327. He was still a hostage in England 1431, when a safe conduct was granted to servants of David Stewart, Master of Atholl, to repair to him. Ib. 496.

Atholl. (Stewart.) P. 138. Johannes Senescallus de Innermeth was a commissioner to treat with the English, 24th August 1404. Fœdera, VIII. 369. Safe conducts were granted to John Styward, Lord of Lorn, into England, 8th March 1405. Ib. 388, 27th August 1405. Ib. 411, John Styward de Ennermeth, knight, with twelve servants, 30th September 1407. Ib. 500, and to John Stewart, Lord of Innermith, 12th May 1415. Ib. IX. 244. Robert Stewart, hostage for James I., was released 20th June 1432. Ib. X 509. John, Lord Lorn, witnessed a confirmation by James II. of a treaty with England, 6th August 1457. Ib. XI. 404. P. 139. col. 2. line 13 from the bottom, for 1594 read 1595. P. 140. Sir James Stewart, the black knight of Lorn, had a safe conduct to come into England with his sons John and James, 17th April 1451. Fœdera, X. 301. P. 140. col. 1. line 8 from the bottom, for 1357 read 1457, and line 2 from the bottom, for 1560 read 1460. Johannes, Comes Atholiæ, occurs 11th June 1457. Fœdera, XI. 393. A confirmation of a treaty with England by James II. is witnessed by John, Earl of Atholl, our brother, 6th August 1457. Ib. 404. P. 141. Lady Isabel Stewart, married to Colin Mackenzie of Kintail, charter 25th April 1543, was probably daughter of John, third Earl of Atholl. P. 142. John, fifth Earl of Atholl was married to Lady Mary Ruthven at Perth, 4th January 1579-80. Register of Perth.

Atholl, (Murray.) P. 154. Lord George Murray's eldest surviving son, the Rev. George Mur-

ray, married, 9th May 1811, Lady Sarah Maria Hay, second daughter of Robert Auriol, ninth Earl of Kinnoul, and his sister Charlotte Maria was married at Burnham, 16th June 1812, to the Rev. Townshend Selwyn. P. 155. Lord Charles Aynsley's eldest daughter, Charlotte, was married at Dunkeld-house, 28th January 1812, to John Oswald, younger of Dunnikier, a major-general in the army. Lady Mary Martin's eldest son John, died an officer in Lord Wellington's army in Portugal, in September 1811, æta. 24. P. 156. Lord James Murray, second son of the Duke of Atholl, married at Northumberland House, London, 19th May 1810, Lady Amelia Percy, born 16th January 1789, youngest daughter of the Duke of Northumberland; they had a son, John James, born at Alnwick Castle, 27th February 1811, and died there 16th May following. Lord James was appointed one of the lords of the bed-chamber in March 1812. James Drummond, son-in-law of the Duke of Atholl, was elected M. P. for Perthshire, in room of his brother-in-law Lord James Murray, 19th March 1812, and rechosen at the general election same year.

Avandale. P. 158. A safe conduct was granted, 12th July 1437, to Andrew Styward, miles, et Morthewe Styward, miles, frater ejus, then in England, to go abroad. Fœdera, X. 672.

Balcarres. P. 166. col. 1. line 31, for 1643 read 1653. P. 167. John Lindsay of Menmuir had a third son, Robert, of whom his brother David, Lord Lindsay of Balcarres, was served heir 4th September 1639. Inq. Ret. xiv. 235. P. 172. Lady Margaret Fordyce was married, 1st September 1812, to Sir James Bland Burges, baronet. P. 173. Elisabeth Frances, eldest daughter of Charles, Bishop of Kildare, was married at Glasnevin church, 21st October 1811, to Compton Domville of Santry-house, in the county of Dublin, and died there in August 1812. P. 175. James, Lord Lindsay, married at Muncaster, 21st November 1811, the Hon. Miss Pennington, only daughter of John, Lord Muncaster, and has a son, born at Muncaster, 16th October 1812. His sister, Lady Anne Lindsay, was married at Haighhall, 15th March 1811, to Robert Wardlaw of Balcurvie.

Balmerinoch. P. 187. John, third Lord Balmerinoch, married Lady Anne (not Margaret) Campbell.

Banff. P. 192. col. 2. the Hon. Janet Ogilvy was married in 1694 not 1594. P. 193. The date of the burning of Inchdruer, November 1713, seems erroneous, as in a MS. volume of Justiciary records, Robert Stewart, messenger, John Mill, and William Brodie, were, 27th July 1713, indicted for murdering Lord Banff, and setting fire to the house of Inchdruer. The indictment was found not proven. P. 194. Sir George Abercromby's second daughter Helen was married at Forglen-House, 30th April 1811, to William Gowan, Esq. of the Bengal civil establishment, and his third daughter Maria was married there, 6th September 1810, to David Monypenny of Pitmilly, solicitor-general for Scotland.

Bargeny. P. 195. col. 1. line 36, leave out "with limitation to the heirs male of his body," the limitations of the parent being unknown. 30th May 1646, William Hamilton heres Thomæ Hamilton, filii legitimi Domini Joannis Hamilton de Bargeny, militis, fratris immediate junioris. Inq. Ret. xviii. 105.

Belhaven. P. 207. The entail by John, Lord Belhaven, of 17th October 1701, of his estates, was to himself in liferent, and in fee to his sons John and James, his brothers James, William, Daniel, Robert, Henry, and Thomas, and the heirs male of their bodies respectively; which failing, to the daughters or heirs female to be procreated of his body; which failing, to the heirs female procreated or to be procreated of the bodies of his said heirs of provision respectively above written. P. 208. William Hamilton of Lincoln's Inn Fields died at London, 27th April 1811, æta. 83, and his brother, the Rev. Anthony Hamilton, died in September 1812, æta. 74. P. 209. The petition of William Hamilton of Wishaw, claiming the title of Lord Belhaven, was referred by his Majesty's command to the House of Lords, 13th January 1795, and it was resolved and adjudged, 19th April 1799, that the claimant hath made out his claim to the title, honour, and dignity of Lord Belhaven and Stentoun. His eldest son, the Hon. Robert Montgomery Hamilton, is an officer of the 26th regiment of foot in Spain.

Blantyre. P. 217. The Hon. Patrick Stuart of Eaglescairnie, married at Columbo, 20th July 1810, Catherine Henrietta, daughter of the Hon. John Rodney, chief secretary to government at Ceylon, and has a son born at Columbo 10th August 1811.

Bothwell. (Moray.) P. 219. In the parliament at Scone, 5th February 1283-4, appeared Willielmus de Moravia, filius; Walterus de Moravia, milites. Fœdera, II. 266. Andrew Moray was prisoner in England, and ordered to be liberated 20th November 1314. Ib. III. 502.

Bothwell. (Hepburn.) P. 222. col. 1. John Hepburn was alumnus (not foster-brother, but bred up in the family) of Patrick, Earl of March. Col. 2. for George Hepburn, younger of Letham,

read George Buchan, younger of Letham. Patricius de Hebburn de Scotia cum sex equitibus, had a safe conduct to visit the shrine of St Thomas at Canterbury, 26th April 1363. Fœdera, VI. 408. P. 223. Patricius de Hebborne, chivaler, had a safe conduct to go through England to the Holy Land, with twelve men and horses, 4th December 1381. Ib. VII. 337. Dns Adam de Hebborne de Halys, was a substituted hostage for King James I., 16th July 1425. Ib. X. 348. P. 224. Lord Halys sat in parliament, 6th March 1457-8. Rec. Parl. 40. According to Chalmers, Patrick, first Lord Hales, was governor of Berwick Castle, which he defended against the English, July 1482, and died 1483, and his eldest son Adam predeceased him in 1479. Caledonia, II. 444. P. 226. Patrick, first Earl of Bothwell, died 17th October 1508. Ib. 447. P. 229. Patrick, third Earl of Bothwell's wife, was Agnes Sinclair, not Margaret Home. Ib. 453.

Bothwell. (Stewart.) P. 232. The 18th of Februar 1595, Hercules Stewart hangit, and ane Johne Syme, for bearing companie and interteining his awen brother and the Earle of Bothwell. A charter was granted to Francis, commendator of Kelso, of the lordship and barony of Hales, of new united into the earldom of Bothwell, 16th June 1581. Mag. Sig. L. xxxv. No. 365.

Breadalbane. P. 235. col. 1. line 6, for 1598 read 1498.

Buccleuch. P 245. Title, for Scott, Duke of Buccleuch, read Scott, Duke of Buccleuch and Queensberry. P. 253. col. 2. line 21, for Weymss read Wemyss. P. 259. Lady Mary Scott was born 21st May 1769, not 1767 as erroneously printed. On the death of William, fourth Duke of Queensberry, 23d December 1810, the titles of Duke of Queensberry, Marquis of Dumfriesshire, Earl of Drumlanrig and Sanquhar, Viscount of Nith, Torthorwald, and Ross, Lord Douglas of Kinmont, Middlebie, and Dornock, with the barony of Drumlanrig, and other extensive estates in the county of Dumfries, devolved on Henry, Duke of Buccleuch. His Grace Henry, Duke of Buccleuch and Queensberry, died, after a short illness, at Dalkeith house, 11th January 1812, and was succeeded by his eldest son, Charles William, fourth Duke of Buccleuch, and sixth Duke of Queensberry.

Buchan. (Stewart.) P. 267. col. 1. line 22, for mentem read montem.

Buchan. (Erskine.) P. 268. John, third Earl of Buchan, was son of the second wife, Margaret Ruthven, not of the first wife, Isabel Ogilvy; see page 660. P. 270. James, sixth Earl of Buchan, had a third daughter by his first wife, Lady Elisabeth, of whom her niece, Marion Graham, was served heir, 26th June 1669. Inq. Ret. The charter of 10th February 1664, at p. 273, erroneously printed in Grose's Antiquities, from whence it was copied, is rectified Appendix Vol. II. p. 674. P. 277. James Nimmo, cashier of excise, by his wife, the Hon. Mary Erskine, had three daughters, 1. Katherine, married to her cousin David Erskine. 2. Elisabeth, married to James Pringle of Bowland, clerk of session, and was mother of James Pringle, now of Torwoodlee. 3. Mary, married to the Rev. John Gibson, minister of St Cuthberts, and had issue. P. 279. Henrietta, second daughter of the Hon. Henry Erskine, was married at York, 11th May 1812, to Peter Smith, M. D. R. N.

Bute. P. 282. John Stewart of Bute, had a safe conduct to meet King James I. at Durham, 13th December 1423. Fœdera, X. 308. P. 285. line 21 of the note, for second read eldest. P. 288. James Archibald Stuart Wortley was rechosen for Bossiney, at the general election 1812. P. 289. Charles Stuart, envoy extraordinary and minister plenipotentiary to the court of Portugal, was nominated one of the extra knights of the Bath in September 1812, and his brother, Captain John Stuart, R. N. died commander of the Saldanha frigate at Loch Swilly in Ireland, 19th March 1811, æta. 29. P. 291. Lord William Stuart was rechosen for Cardiffe at the general election 1812.

Caithness. P. 293. col. 1. line 26, read John, Earl of Caithness, was one of the Scotish nobles who addressed a letter to Edward I. proposing the marriage of his son to Queen Margaret. Fœdera, II. 471.

Caithness. (Sinclair.) P. 296. George, fourth Earl of Caithness, was served heir of his brother William Sinclair, Dominus feodi Comitatus Cathaniæ, 9th February 1543. The inscription on his tomb at Roslin is, Hic jacet nobilis ac potens Dominus Georgius quondam Comes Cathanensis, Dominus Sinclarius, justiciarius hereditarius diœcesis Cathanensis, qui obiit Edinburgi, 9 die mensis Septembris, A. D. 1582. His youngest daughter, Lady Agnes, Countess of Errol, married, secondly, Alexander Gordon of Strathawin; they had a charter, 2d December 1588. Mag. Sig. L. xxxvii. No. 187. P. 297. David, son of John, Master of Caithness, was a natural son, as a charter was granted, 25th August 1587, Davidi Sinclair filio naturali quond. Joannis Magistri Cathanensis. John, Master of Caithness, had another natural son, Henry, as appears from a letter of reversion, Henry Sinclair, brother naturall to George, Earl of Caith-

ness, 23d September 1606. P. 298. John, Master of Berriedale, was a religious and devout gentleman of great expectation, Hist. Suth. 497. His wife was Lady Jean Mackenzie, second daughter of Colin, first Earl of Seaforth; they had three sons, two of whom died young. John, second son of the deceased John, Master of Berriedale, is a substitute in a settlement of the estate of Murkle, 14th March 1644. P. 299. Sir James Sinclair had the quarter lands of Murkill settled by George, Earl of Caithness, his brother, 14th May 1613, on him and Elisabeth Stewart his wife, in liferent, and in fee to his sons James and Francis, and the heirs male of their bodies. Francis Sinclair his second son, married, contract dated 9th July 1621, Janet, eldest daughter of Alexander Sutherland of Forss, and had a son James. Sir James Sinclair of Murchil, the eldest son's, contract of marriage with Jean Stewart, is dated 18th October 1634. He executed a procuratory of resignation of his estate of Murkle, 14th March 1644, *in favour of John, his eldest son, and the heirs male of his body, which failing, to any other heirs male of his own body, which failing, to James Sinclair, eldest son of Francis Sinclair his brother, John Sinclair second son to umquhile John, Master of Berriedale, John Sinclair, eldest son of Sir James Sinclair of Cannesbie, and the heirs male of their bodies respectively.* Jean Stewart, relict of Sir James Sinclair of Murkle, executed a disposition 18th May 1692, recorded 19th August 1704, in favour of Jean Sinclair her eldest lawful daughter, reserving 2000 merks to David Sinclair in Broynach, her lawful son. This David Sinclair of Broynach married a daughter of Sinclair of Dun, and by *her had a son, James, who died without* issue. John, eighth Earl of Caithness, died in January 1706, and was succeeded by his son Alexander, ninth Earl of Caithness, who was born in April 1685.

P. 300. James Sinclair of Ratter assigned a letter of reversion of that estate, 14th December 1636, to William Sinclair his eldest lawful son, and the heirs male of his body, which failing, to John Sinclair his second lawful son, and the heirs *male of his body.* He was alive in 1642, when the marriage contract of his son William was executed.

His son William Sinclair of Ratter, by his second wife, Jean Cunningham, had *three* sons. James, Robert, and David, and two daughters, Janet, married to John Sinclair of Ulbster, and Agnes. A charter of Freswick was granted 30th April 1672, to Jean Cunningham, relict of William Sinclair of Ratter, in liferent, and in fee to James, Robert, and David her sons, and the heirs male of their bodies respectively. David, the third son, was served heir of his eldest brother James, *in the lands of Freswick, 11th November 1696,* married ——— Stewart, and was dead without issue before *10th* September 1712, having, by entail dated 1st April 1712, settled his estate of Freswick on William Sinclair his nephew, second son of John Sinclair of Ratter, and the heirs male of his body, which failing, to John Sinclair of Duren, his sister's son, and the heirs male of his body.

P. 301. William Sinclair of Freswick, second son of John Sinclair of Ratter, had a son John Sinclair of Freswick, served heir of him 27th March 1770, whose son, William, died without issue before 6th November 1784, when Captain Robert Sinclair was served heir of tailzie of him.

William, tenth Earl of Caithness, had five sons, John, the eleventh Earl of Caithness, William, who died 30th October 1776, not 1796, as erroneously printed at p. 301, James, Alexander, and David, who all died young and unmarried.

P. 302. The lands of May were settled by George, fourth Earl of Caithness, on William Sinclair his *son*, and the heirs male of his body, which failing, to George Sinclair, brother-german of William, *and the heirs male of* his body, by charter of 1st March 1572. George Sinclair was served heir of his brother William Sinclair of May, son of George, Earl of Caithness, and had a precept of clare constat of these lands, 26th November 1573. The said George Sinclair had a letter of privy seal presenting him to the chancellary of Caithness 1st June 1572, being therein designed lawful son of George, Earl of Caithness. George Sinclair, chancellor of Caithness, and Margaret Forbes his wife, had a charter 4th March 1583.

An instrument of seisin of the lands of Mey was made 10th October 1600, to William Sinclair, eldest son of the said George Sinclair of Mey, and to Catherine Ross his future wife, second daughter of George Ross of Balnagowan, in liferent, and to the heirs to be procreated betwixt them. This William Sinclair was afterwards designed Sir William Sinclair of Catboll. A charter of confirmation of the lands of Mey passed the great seal 8th July 1623, to Sir William Sinclair of Catboll, knight, in liferent, and in fee to James Sinclair his eldest son, and his heirs male and assignees. A tack of teinds was granted 14th June 1635, by Sir William Sinclair of Catboll, knight, son and heir to umquhile George Sinclair of Mey, with special consent of Sir James Sinclair of Canesbie, knight baronet, his son. A charter of the lands of Cannisbey passed the great seal, 17th February 1636, to Sir William Sinclair of Cadboll, in liferent, and in fee to Sir James Sinclair of Cannisbey, his son, and the heirs male procreated or to be procreated betwixt him and Dame Elisabeth Leslie, his spouse. Sir James Sinclair of Cannesbey, knight, and Elisabeth Leslie, his spouse, had a seisin of the lands of Olrik, 9th June 1632.

Sir James Sinclair's eldest son was John Sinclair, mentioned in the settlement of the estate of Murchel, 14th March 1644, but he died before

his father without issue, as Sir James Sinclair of Cannisbey granted a charter of the lands of Mey, 28th February 1652, to William Sinclair his eldest lawful son, and the heirs male procreated or to be procreated betwixt him and Lady Margaret Mackenzie his wife, which failing, to his nearest heir male and assignees whatsoever, in implement of the marriage contract entered into with George, Earl of Seaforth, and Lady Margaret Mackenzie, now spouse of William, of date 4th October 1648.

Sei-in of the lands of Mey and Barrogill, &c. which belonged to Sir James Sinclair of Canesbie, knight, father of Sir William Sinclair of Canesbie, knight baronet, was taken by the attorney of Sir William Sinclair, 23d September 1662. Sir William died before 28th February 1696, when a decreet of sale and division of the price of the lands of Mey was issued against Sir James Sinclair, now of Mey, son and heir apparent of the deceased Sir William Sinclair of Mey his father; George, Earl of Cromarty, having acquired Cannisbey, Mey, and other lands of the family, settled the same by disposition and tailzie, dated 16th December 1698, on James Sinclair, eldest son of Sir James Sinclair of Mey, with other remainders, particularly to George Sinclair, brother of Sir James.

James Sinclair of Mey, last mentioned, succeeded his father, and died before 11th February 1740, when Sir James Sinclair of Mey, his son, was second heir of tailzie of him; and he died before 1st May 1765, when Sir John Sinclair of Mey, his son, was served heir of tailzie and provision of him. His son, Sir James Sinclair of Mey, was served heir of tailzie and provision of him, 5th December 1785; and presented to the King the petition of Sir James Sinclair of Mey, baronet, claiming the title, honour, and dignity of Earl of Caithness, which petition, referred by his Majesty's command to the House of Lords 19th February 1790, was of this tenor:

That John, the last Earl of Caithness, died in the month of April last, (1789) without issue male.

That this earldom has always been held and enjoyed in a course of male descent.

That George, Earl of Caithness, who died in 1582, had two sons, viz. John, Lord Berriedale, and George, the ancestor of your petitioner.

That upon the resignation of the said George, Earl of Caithness, his son John, Lord Berriedale, obtained a charter of the earldom from the crown in 1545, dilecto consanguineo nostro Joanni Sinclair, filio et hæredi apparenti consanguinei nostri Georgii Comitis de Caithness, hæredibus suis masculis et assignatis, &c. tenend. et habend. dicto Joanne hæredibus suis masculis et assignatis, et ipsis deficientibus dicto Georgio et hæredibus suis quibuscunque de nobis et nostris successoribus in libero comitatu et dominio ac in feodo et hereditate in perpetuo, &c.

That the said John, Lord Berriedale, died in the lifetime of his father, leaving three sons; but the male issue of all of them having failed in the person of John, last Earl of Caithness, who died in April 1789, your petitioner apprehends that he has a clear and undoubted right to the title, honour, and dignity of Earl of Caithness, as the nearest lineal male descendant of George, who was second son of the aforesaid George, third Earl of Caithness, who died in 1582, and also as heir male of the aforesaid John, Lord Berriedale.

Your petitioner therefore humbly prays, that the said honour title, and dignity, may of right be declared to belong to him.

At the general election 24th July 1790, Sir James Sinclair of Mey having voted by proxy as Earl of Caithness, his votes were protested against, on account of his claim to the title being undecided by the House of Lords. A long proof of his descent was taken before a committee of the House 12th and 14th April 1791; and it was, on the 4th March 1793, resolved and adjudged, by the Lords spiritual and temporal in Parliament assembled, That the petitioner, Sir James Sinclair, baronet, had made out his claim to the title, honour, and dignity of Earl of Caithness.

On the 16th April 1793, it was moved to resolve, That it is the opinion of the Committee, That Sir James Sinclair of Mey, baronet, having presented a petition to his Majesty, claiming the titles, honour, and dignity of Earl of Caithness, which petition was by his Majesty, on the 19th February 1790, referred to the House of Lords, for the purpose of examining the allegations thereof as to what relates to the petitioner's title therein mentioned, and to inform his Majesty how the same shall appear to their Lordships, had, pending such examination, and antecedent to any report being made to his Majesty by this House, no right to assume the titles, honours, and dignity of Earl of Caithness, and as such to vote at the late election of the sixteen representatives of the Peerage of Scotland, not having made out his claim to the same, nor procured it to be allowed in that legal course of determination to which he had himself, at his own instance, submitted it, and that the votes on this occasion, given by the said Sir James Sinclair, as Earl of Caithness, cannot be reckoned in favour of the candidates for whom the same were given. The question being put, it was resolved in the negative; and on the 29th April 1793, it was resolved, that the votes given by the Earl of Mey, as proxy for the Earl of Caithness, were good.

His Lordship was 24th March 1790, served nearest and lawful heir male of William, Earl of Caithness, who sat in the Scots Parliament 1505; and was, in December 1810, appointed Postmaster General of Scotland. His youngest daughter, Lady Charlotte Ann Sinclair, was married at Edin-

burgh, 21st May 1810, to Alexander Macgregor Murray, Esq. lieutenant-colonel of the 6th regiment of foot, only son of Colonel Alexander Macgregor Murray, and nephew of Sir John Macgregor Murray of Lanrick, in the county of Perth, baronet. They had a son born at Kinsale, 19th February 1811.

Carlyle. P. 306. The manor of Combquinton in Cumberland, was, at the conquest, the lands of Hildred, a knight, to whom the Earl Randolph gave the same, and William Rufus and Henry Beauclere a great seignory, and also large possessions on the east side of the river Eden. He dwelt at Carlyle, and was afterwards called Hildredus de Carlieil; he left that surname to the antient family of Carleills, who were knights successively until Edward I. invaded Scotland, at which time Sir William Carleill sold most of his lands in England; of Sir William the Barons Carleill of Scotland are lineally descended, whose heir male of the eldest issue ended of late in my time, and his living is fallen to a daughter, but there are great numbers of that surname both in England and Scotland. Hildred had issue a son, Odard, who died in his father's lifetime, therefore Combquinton descended to his grandchildren, Richard Carleill, and Robert, between whom their grandfather divided his lands, and this manor, to make the division equal, was divided into two moieties. Extract from Denton's MS. History of Cumberland, communicated by a correspondent.

Willielmus de Karlehill was a guarantee of a treaty with the English, November 1449. Fœdera, XI. 253. Willielmus de Carlile was guarantee of a truce with the English 14th August 1451, again 23d May 1453. William Karlele de Torthorwald appears in the same capacity 11th June 1457, and William Carlele 12th September 1459. Ibid 300, 334, 393, 426. John, first Lord Carlyle, died before 11th May 1503, when a seisin of the lands of Rochillhead, Carthwat, and Bogries, was granted by John Kilpatrick to William, Lord Carleill. Michael, Lord Carlyle, succeeded his brother James, before 25th January 1524, as appears from an instrument of that date, whereby Robert Corsbie, sometyme of Wilcots, continues the payment of the soume awand to him be Michael Lord Carleill, till the said Robert's return from England. Gif he dies before his return, he discharges the said lord of the said soume. Evidents of the barony of Carleill, alias Torthorwald, quoted by a correspondent. P. 307. col. 2. line 46, for John read James; p. 309 line 5 of the note, for Mary read Agnes. P. 309. Two charters were granted 6th April 1609, Jacobo Domino de Torthorwald, baroniæ de Carleill, Kinninmonth, Cummertrees, Pettinane, &c. in dominium de Torthorwald unit. Mag. Sig. L. xlv. No. 283, 291. The editor is informed that William Carlyle, Esq. advocate, is now male representative of the Lords Carlyle.

Carnwath. P. 312. Gavin, third Earl of Carnwath, was served heir of his brother William Dalzell, 19th January 1647. Inq. Ret. xix. 161. His Lordship's second wife Mary Erskine was daughter of Alexander Viscount of Fentoun, who predeceased his father, Thomas, Earl of Kellie. By an error in transcribing, the descent of the family of Glenae is not correctly stated at page 312. It should have stood thus:

The Hon. Sir John Dalzell, second son of Robert, first Earl of Carnwath, had charters 1632 and 1636; he married Agnes, daughter of Nisbet of Dean, by whom he had a daughter, Mary, married in 1665 to Alexander third Earl of Kellie, and had issue; and a son,

Robert-Dalzell of Glenae, who was created a baronet 11th April 1666, and died in September 1685, to whom all that follows 1636, in p. 312, col. 2. line 17 from the bottom, applies. Sir Robert Dalzell of Glenae succeeded his father Sir John Dalzell in 1689, not 1739. He was served heir of Sir John Dalzell his father, and of Sir John Dalzell his great grandfather, 20th April 1695. Inq. Ret. xliv. 354, 355. He obtained from Parliament, in 1734, an act to enable Robert Dalzell, late Earl of Carnwath, to sue or maintain any action or suit, notwithstanding his attainder, and to remove any disability in him by reason of such attainder, to take or inherit any real or personal estate that may hereafter descend to him.

On the 27th October 1698, lieutenant-colonel Thomas Dalzell, Captain James Dalzell, sons, and Henrietta Dalzell, daughter, of Sir Robert Dalzell of Glenae, were served heirs of acquisition of Violet Dalzell, daughter of the said Sir Robert Dalzell, their immediate younger sister. Inq. Ret. P. 314. Elisabeth, eldest daughter of the late Robert Dalzell of Glenae, was married, 31st August 1812, to Henry Alexander Douglas, Esq. brother of Charles, Marquis of Queensberry.

Carrick, (Bruce). P. 328. col. 2. line 10 from the bottom, for 1515 read 1315.

Carrick (Stewart). P. 322. John Stewart, Master of Orkney, was, 24th June 1596, indicted for consulting Allison Balfour, a witch, for the destruction of Patrick, Earl of Orkney, his brother-german. MS. Justiciary Records. A charter was granted to John Stewart, Master of Orkney, 14th February 1601, of the lands of West Tarbet in Ross-shire. Mag. Sig. L. xliii. No. 24. John, Lord Kinclaven, Master of Orkney, had a charter of the lands of Brasuik in Orkney, 16th August 1611. Ib. L. xlvi. No. 446.

Cassillis. P. 358. Gilbert, first Lord Kennedy,

married, secondly, Isabel, daughter of Sir Alexander Ogilvy of Auchterhouse, and was alive 19th October 1478, when Gilbert, Lord Kennedy, and Isabel, Lady of Glamys, his wife, appeared before the lords of council in a civil cause. Acta Dom. Conc. 12. This Isabel, Lady of Glamys, was probably Isabel Ogilvy, relict of Patrick, first Lord Glamis, who died 1459. P. 335. Note from Lord Mansfield's speech in the Sutherland cause. The case of Cassillis was fully argued, and was heard with much attention. The judgment there proceeded upon the general presumption in favour of the heir male, unless the contrary is shewn. There was no difference of opinion upon this point. The judgment did not proceed upon the investitures of the estate. One noble Lord thought that the charter of 1672, which gave the earldom, with precedency, &c. carried the dignity. But it appeared that all the matters in that charter had been resigned in 1642, and the one referred to the other. There was clearly no resignation of the honours in 1642; the House thought there was no resignation. It was settled with Lord Hardwick, that in cases where no instrument of creation or limitation of the dignity appeared, the legal presumption was in favour of the heir male. The judgment was penned at his sight with this view; it does not mention the investitures of the estate, but says that the title and dignity belonged to Sir Thomas Kennedy as heir male of the body of the person first ennobled. Why? Because it was to be presumed that the dignity descended in that line, when no evidence to the contrary appeared. If it had gone upon the presumptions arising from the limitations of the land estate, Lord Hardwick's accuracy would have so worded it.—P. 338, col. 2. line 17 and 18, leave out "Baronet of Nova Scotia, 8th December 1682," that title having become extinct on the death of David, tenth Earl of Cassillis, 1792. P. 341, col. 1. line 12 from the bottom, for fourth read third.

Cathcart. P. 341. Robert Cathcart of Drum, writer to the signet, died at Drum, on the 18th November 1812, in the 40th year of his age, most truly and sincerely lamented, and was buried on the 21st of November in the vault at Glencorse church. He married, in October 1797, Anne, eldest daughter of John Cadell of Cockenzie, by whom he left one son, Robert, and seven daughters, Mary-Anne, Harriet, Elizabeth, Christian, Georgina, Jacoba, and Jane. The following paragraph, relative to this excellent man, appeared in the Caledonian Mercury soon after his death: "If the regret of friends and acquaintances be "generally accounted a fair standard of departed "merit, the character of Mr Cathcart has a just "claim to lasting esteem; for we may safely affirm, that no man's death ever called forth, from "those who knew him, a more general expression "of unfeigned sorrow. Nor was this universal "feeling of sympathy more excited by the extensive usefulness of the character, thus suddenly "snatched away, than by the personal qualities of "the man. His plain and unostentatious manners, and the extreme gentleness of his whole "deportment, endeared him to every one with "whom he had any intercourse, either of friendship or of business. He was a firm believer in "the great truths of Christianity; and his belief, "far from being of that speculative kind which lies "dead in practice, animated him in the discharge "of all the great duties of life, and, giving new vigour to the natural instincts of his own amiable "disposition, shone forth in deeds of active benevolence. Every plan for the relief of the unfortunate, he was zealous to encourage, and was "himself ever foremost either with his personal "exertions or with his purse; insomuch, that his "life was the ornament of his profession. He "possessed a sound and practical understanding, "if we may be allowed the expression, conversant "alike in the details of business and in the studies "of a well educated gentleman. It is proper that "such a character should be made known, not as "an act of vain justice to the dead, but as a portrait for the living to imitate and to admire."

P. 348. Lord Viscount Cathcart was appointed Ambassador Extraordinary and Minister Plenipotentiary to the Emperor of Russia, 25th July 1812, and sailed that month for Petersburgh. His eldest surviving son, the Hon. Charles Murray Cathcart, was engaged in the battle of Barrosa, 3d March 1811, and allowed to enjoy the privileges of wearing a gold medal, in commemoration of that victory. London Gazette, 11th November 1811.

Colvill. P. 358. John, Lord Colvill of Culross, died at Broomwell house, near Bristol, 8th March 1811, in his 88th year. His second surviving son, the Hon. Charles Colvill, has the rank of major-general in the army. He resigned the situation of lieutenant-governor of Grenada, in order that he might be employed in Spain and Portugal; he had a command in the engagement with the French 25th September 1811, and Lord Wellington in his dispatches noticed his conduct that day as being above all praise. He commanded the principal attack on the breaches at the storming of Badajoz, 6th April 1812, and was there wounded.

Crawford. P. 372. David de Lyndesay, prisoner in England, was ordered to be liberated 20th November 1314. Fœdera, III. 502. P. 373. Jacobus de Lyndesay fil. et hær. Dav. de Lyndesay, militis, was one of the hostages for David II. when that King was allowed to visit Scotland, 5th September 1351. Ib. V. 724. P. 374. John de Vienne, admiral of France, came to Scotland in

1385 with 40,000 francs to distribute among the principal persons there; James de Lindezay had 2000, David de Lindezay 500, and Guille de Lindezay 500 livres Tournois of the same. Ib. VII. 485. It would appear that Sir James Lindesay was taken at Otterburn, as Richard II. issued an order, 25th September 1388, to Henry de Percy, Earl of Northumberland, quod Jacobum de Lyndesey de Scotia, chivaler, jam noviter captum de guerra per partem nostram, nullomodo deliberari faciatis. Ib. 607. Alexander de Lyndesay, miles, de Scotia, had a safe conduct to pass *through England to* the Holy Land, 4th December 1381. Ib. 337. P. 376. Alexander, Earl of Crawford, was delivered as a hostage for the ransom of James I., 28th March 1424, and liberated 9th November 1427. Ib. X. 327, 381. P. 376. col. 1. line 28, the Earl of Huntly was not killed at Aberbrothwick 1446. P. 378. Mariot Home, Countess of Crawford, had a charter of the lands of Downy on the Earl's resignation, 6th October 1511. Mag. Sig. L. xvii. No. 65. P. 380. It was erroneously stated, that the eldest son of David, ninth Earl of Crawford, was David, Master of Crawford, who died in February 1572-3, father of David, tenth Earl of Crawford, father of David, eleventh Earl of Crawford; the eldest son of David, ninth Earl of Crawford, being in fact David, tenth Earl of Crawford, father of David, the eleventh Earl. The Editor was misled by a retour of David, Earl of Crawford, who, on the 6th of March 1611, was served heir of *David, Master of Crawford*, his grandfather, who died in February 1572-3, in the lands of Rathelert, &c. in Fife. Inq. Ret. iv. 414. But that the David Master of Crawford in that retour was actually David, ninth Earl of Crawford, appears clear from the following documents. David, ninth Earl of Crawford, who married Margaret Betoun in 1546, had three sons, David, Henry, and John, when the charter of 8th July 1559 was granted, and four sons, David, Henry, John, and Alexander, when the charter of 22d March 1564-5 was granted. In the General Assembly of the Church of Scotland, holden at Edinburgh, 6th March 1572-3, Mr John Row, minister of Perth, was censured for marrying the Master of Crawford and my Lord Drummond's daughter, without proclamation of banns, and what was done in it was not in due time, viz. on Thursday, at the evening prayers, notwithstanding of his excuse, that it was done at the command of the session, whereof my Lord Ruthven was one. Extract from Row's MS. History of the Church of Scotland, in the Divinity Library, Edinburgh, communicated by a correspondent. On the 8th of March 1575-6 was baptised David Lindesay, Master of Crawford, son of David, Earl of Crawford; witnesses, William, Lord Ruthven, John, Lord Graham, &c. Extract from the registers of Perth, communicated by the same correspondent. David, tenth Earl of Crawford, who had a charter to him and Grissel Stewart his wife, 11th December 1581, died 22d November 1607, as is specified in the retour of his son David, eleventh Earl of Crawford, to him, 28th June 1608. Inq. Ret. iv. 218.

Henry, twelfth Earl of Crawford, had a charter to Henry Charteris, alias Lindsay, brother-german of David, Earl of Crawford, and cousin and adopted son of John Charteris of Kinfauns, of the lands of Craigton in Perthshire, 29th November *1584*. *Mag. Sig.* L. xlii. No. 139. His eldest son, Sir John Lindsay of Kinfauns, K. B. had a charter to him and Jean Abernethy his wife, of the barony of Kinfauns, Petfudie, and Carroleston, in the counties of Fife, Forfar, and Perth, 25th February 1608-9; they had two daughters, Jean and Margaret, who, under the designation of legitimate daughters of Sir John Lindsay, of the order of the Bath, knight, were served heirs portioners and of conquest of Colonel Henry Lindsay, the son of the brother of their grandfather, 31st December 1641; Inq. Ret. xvi. 283, 284, and Jean Lindsay was served heir of Sir John Lindsay of Kinfauns, one of the order of the Bath, her father, 4th May 1661. Ib. xxix. 16.

Ludovick, fourteenth Earl of Crawford, was served heir male of David, Earl of Crawford, his uncle, and heir of conquest of Colonel Henry Lindsay, legitimate son of the deceased Sir John Lindsay of Ballinscho, knight, the son of his uncle, 24th and 28th August 1639. Inq. Ret. xiv. 271.

Sir John Lindsay of Wodwra, knight, was, 25th July 1607, served *tutor at law*, as propinquior agnatus, id est consanguineus ex parte patris, Alexandri Lindsay filii legitimi et hæredis apparentis quondam Alexandri, Domini de Spynie, sui fratris. Inq. Ret. iv. 122. Captain John Lindsay of Woodwraith, was served heir of Sir John Lindsay of Woodwrayth, knight, his father, in the lands of Ballinscho, Woodhead, &c. 28th March 1628. Inq. Ret. x. 90.

Alexander, second Lord Spynie, was, 7th January 1642, served heir in general of Colonel Henry Lindsay, the son of his immediate elder uncle, 7th January 1642. Inq. Ret. xvi. 281. George, third Lord Spynie, was served heir male in general of David, Earl of Crawford, the son of the brother of his grandfather, 8th November 1666, Ib. xxviii. 299, and in special in the lands of Bandoch, Finhaven, &c. the same day. Ib. 319.

From the preceding documents, it appears that David, ninth Earl of Crawford, was alive when his son the Master was married to Lord Drummond's daughter, about the end of 1572 or beginning of 1573, and was dead before March

1576, when his son was Earl of Crawford, and it is evident that he was the person described in his grandson's retour, as Master of Crawford, who died in February 1572-3. His sons were,

1. David, tenth Earl of Crawford, married, first, to Lilias, daughter of Lord Drummond; secondly, to Lady Grissel Stewart, and died 22d November 1607, father of David, eleventh Earl of Crawford, baptized 8th March 1575-6, (his mother's name is not mentioned in the register,) served heir of his father 28th June 1608, and of his grandfather, designed Master of Crawford, 6th March 1611, and died without issue in 1621.

2. Henry, twelfth Earl of Crawford, who died 1623; he had four sons, 1. Sir John Lindsay of Kinfauns, K. B. who died before his father, leaving two daughters, Jean and Margaret; 2. George, thirteenth Earl of Crawford, served heir male of his brother Sir John, 1st August 1615, and died without male issue; 3. Alexander, who died without issue, according to the first edition; 4. Ludovick, fourteenth Earl of Crawford.

3. Sir John Lindsay of Balinscho and Woodwra or Woodhead, who had two sons, John and Henry, both of whom died without issue.

4. Alexander, Lord Spynie. See that title.

Crawford and *Lindsay*. P. 383. Sir John Lindsay, eldest son of Sir William Lindsay of Byres, was alive in 1440, as is evident from a royal charter of 13th May 1440 (Mag. Sig. L. iii. No. 176.) confirming a charter by Alexander Seton of Tullybothi, son and heir of Elisabeth de Gordon de eodem, of 23d February 1439-40, ratifying the excambion made by his ancestors William de Keith, marischal of Scotland, and Margaret Fraser, his wife, of the lands of Uchteruthertruther, Wester Markinch, and Pittindrith, in the counties of Fife and Stirling, with William de Lindsay, quondam dominus de Byres, for the lands of the lordship of Dunnottar, with the pertinents of the same; in the county of Kincardine, magnifico et potenti domino Joanni de Lindsay de Byres, militi, filio et hæredi præfati Willielmi in feodo et hereditate. From this charter it is clear that Sir John Lindsay, who had a charter of Byres from the Duke of Albany, who was hostage for James I. 1424, and who had a charter of Pitlessy 1439, was one and the same person. According to the first edition, this Sir John Lindsay was the same who sat in parliament as a baron 1457 and 1469, and died in 1479. If so, he must have attained an extreme age, as Johannes de Lyndesay had a safe conduct into England, 19th October 1398. Fœdera, VIII. 54. Johannes de Lyndesay de Birys, had a safe conduct to meet King James I. at Durham, 13th December 1423. Ib. X. 309. Johannes Lyndesay was delivered as a hostage for that King, 24th March 1424, his annual income being estimated at 500 marks; and he was released 16th July 1425. Ib. X 318. A safe conduct was granted to Joannes, Dominus de Lyndesay, to treat with the English, 5th July 1451, and Joannes, Dominus *de Lindesay* de Biris, was one of the commissioners to that effect, 17th July 1451. The Lord Lindissay of ye Biris sat in parliament, 19th October 1456. Rec. Parl. 39.

P. 392. The Hon. John Crawford, advocate, and the Hon. James Crawford, surveyor of the customs at Irvine, second and third sons of John, first Viscount of Garnock, died without issue, as, 10th September 1747, George, Viscount of Garnock, was charged to enter heir to them. John Lindsay Crawford of Dungannon in Ireland, procured, in March 1810, from the chancery, a brief for serving him lawful and nearest heir male of John, Viscount of Garnock, his great-grandfather, and in his claim stated himself as being eldest lawful son of the deceased Robert Crawford, farmer at Ballymulderg, near Castle-Dawson in Ireland, who was third son of Hugh Crawford at Castle-Dawson, who was the second son of the Hon. James Crawford, some time factor to Mr Dawson of Castle-Dawson, who was the third son of John, first Viscount of Garnock. The sheriff of the county of Edinburgh, in April 1810, allowed him a proof of his claim, and a conjunct probation to Lady Mary Lindsay Crawford. A proof was accordingly taken in Scotland and Ireland. John Lindsay Crawford was, along with James Bradley, schoolmaster and clerk at Castle-Dawson, in the county of Londonderry, tried before the Court of Justiciary, 2d February 1812, for forging and falsifying writings in support of that claim, and being found guilty, they were sentenced to transportation for fourteen years. The attempt of Crawford went to prove that the Hon. James Crawford, third son of John, first Viscount of Garnock, was the same person with James Crawford, factor at Castle-Dawson, and if it had succeeded, he would have inherited the titles of Earl of Crawford and Lindsay, and Viscount of Garnock, with part of the family estates. Having communicated his plan to Bradley, and one William Fanning, a schoolmaster, they got into their possession some old leases and letters; they forged the name of James Crawford in the leases, and erased parts of the letters, substituting particulars relative to that person in their room. The singular ingenuity displayed in these alterations, struck every one who saw the papers, the hand-writing, and colour of the ink, being well imitated, and the fabric of the paper, though old and worn, preserved entire and uninjured. The papers had, in fact, so much the appearance of genuine deeds, that the deception was successful, when Fanning disclosed the whole circumstances of the fraud, and was admitted King's evidence against Crawford and

Bradley. The trial lasted till half past seven in the morning of the 3d February.

Cromarty. P. 395. Lord Prestonhall's wife was Mary, not Margaret, Burnet; her son Alexander was served heir of her 28th December 1699. The first Earl of Cromarty had another brother, Kenneth, who had a son, Kenneth Mackenzie, who, under the designation of son of Kenneth Mackenzie, brother-german of Sir George Mackenzie of Tarbat, was served heir of Isobella Auchinleck, daughter of Sir William Auchinleck of Balmanno, knight, his mother, 21st April 1675. Inq. Ret. xxxii. 122.

Dalhousie. P. 492. col. 1. In the margin is a reference to Fœdera, I. *2015*, instead of II. 1015. Col. 2. William Ramsay was made prisoner at the battle of Durham, 17th October 1346; sent to the Tower of London; removed to Windsor, 12th March 1347, Fœdera, V. 554, and twelvepence a-day allowed for his support. Ib. 596. William de Ramesay had a safe conduct into England, 8th July 1357. Ib. VI. 22. Monsieur William de Ramesey was one of the guarantees of the treaty for the release of King David II., 3d October 1357. Ib. 48. William de Ramsay, miles, had a safe conduct into England with six horsemen, 5th December 1363. Ib. 428; again, 26th January 1368. Ib. 584. A safe conduct was granted, 6th July 1377, to William de Ramsay, chivaler, qui gravi corporis sui infirmitate vexatur, et sub cura Prioris de Bermundseye extitit, cum uno socio et 24 equitibus. Ib. VII. 148. Patrick de Ramsay, miles, sat in the parliament of Scotland, 26th September 1357, when the treaty for the release of David II. was approved of, and his seal is thereto appended. Ib. VI. 43. Alexander de Ramsay, Dominus de Dalwose, had a safe conduct into England, 13th February 1424, to meet King James I. Ib. X. 309. Alexander Ramsay, miles, was a conservator of truces with the English, November 1449, 14th August 1451, and 23d May 1453. Ib. XI. 253, 300, 334. P. 406. George, second Earl of Dalhousie, died before 8th May 1674, when William his son was served heir of him. Inq. Ret. xxxi. 234. The date of the death of the first Earl, 11th February 1674, is probably that of the second Earl. P. 408. Lady Lucinda Ramsay died at Dalhousie Castle, 15th June 1812. The Hon. John Ramsay had a fourth son, 15th July 1812. The Countess of Dalhousie had a third son, at Dalhousie Castle, 22d April 1812. The Earl of Dalhousie proceeded to Spain in September 1812, with the local rank of lieutenant-general there.

Dingwall. P. 416. Elisabeth, formerly wife of James Cunningham of Drumquhassell, now wife of Walter Macfarlane of Gartavertoun, and Magdalen, wife of Sir John Nicolson of Laswade, knight baronet, were served heirs portioners of Robert Preston of Craigmiller, their brother, 8th February 1640. Inq. Ret. xvi. 80.

Douglas. P. 419. William de Duglas is designed William de Duneglas in 1255. Fœdera, I. 566. P. 420. William de Dufglas made default in not attending the first parliament of John Baliol in February 1292-3. Fœdera. P. 421. King Edward III. issued an order, 12th May 1329, for restoring to James Douglas, knight, the manor of Faudon in Northumberland, and all other lands which William Douglas his father possessed. Ib. IV. 384. P. 422. col. 2. in the note, line 8 from the bottom, leave out all the note after Archibald, and add, Lord of Galloway and third Earl of Douglas. P. 424. col. 2. line 29, for David read Donald.

P. 427. Archibald, fourth Earl of Douglas, and first Duke of Touraine, had two sons, 1. Archibald, fifth Earl of Douglas and second Duke of Touraine; and, 2. James de Douglas, who, under the designation of Jacobus de Douglas, filius Archibaldi, Comitis de Douglas, had a safe conduct into England as a hostage for his father, 21st September 1405. Fœdera, VIII. 417. He had safe conducts into England, 1st November 1406, 11th January 1407, 20th April 1408, and 19th June 1408. Ib. 457, 464, 519, 536. James de Douglas, second son of the Earl of Douglas, was one of the hostages for King James I. when he was allowed to visit Scotland, 31st May 1421. Ib. X. 125. He accompanied his father to France; fell with him at the battle of Verneuil, 17th August 1424, and was buried beside him in the church of St Gratian at Tours, ubi in choro ejusdem collateraliter tumulati, decori et amabiles in vita et morte quoque non sunt separati. Fordun, *II.* 463.

P. 428. James, seventh Earl of Douglas, second son of Archibald the Grim, third Earl of Douglas, had a safe conduct into England as hostage for his brother the fourth Earl, under the designation of Jacobus de Douglas, frater prædicti Comitis de Douglas, scutifer, 30th January 1406. Fœdera, VIII. 429. He had a safe conduct, 1st November 1406, along with his nephew James de Douglas, son of the Earl. Ib. 457. James de Douglas, brother of the Earl of Douglas, had safe conducts into England, 15th May 1412, and 14th April 1416. Ib. 735, IX. 341. He was one of the commissioners appointed by Murdac, Duke of Albany, to treat for the redemption of King James I., 9th May 1423, being designed in the commission, Jacobus de Douglas de Balbani, frater noster, indicating that he was married to a sister of the Regent. Ib. X. 298. James de Douglas de Balvany, had a safe conduct to meet King James I. at Durham, 13th December 1423.

Ib. 309; and James de Douglas, Dominus de Balvany, had a safe conduct as one of the commissioners to treat with the English, 25th May 1429. Ib. 429. He was conservator of a truce with the English, 15th December 1430.; Ib. 487; and again appeared in that capacity 20th March 1438, when he was designed James, Earl of Anendale. Ib. 695. These documents, and the charters quoted at page 429, clearly point out the mistake fallen into, that James the Gross, seventh Earl of Douglas, was son of Archibald, fourth Earl of Douglas and first Duke of Touraine, when he was in fact his brother, and confirm the accuracy of the continuator of Fordun.

P. 432. James, Earl of Douglas, had a pension of L. 500 settled on him by King Henry VI., 7th August 1455, continued by Edward IV., 18th February 1462; and he had a grant of the custody of the castle of Cragfergus in Ireland, 8th December 1463. Fœdera, XI. 367, 487, 510. L. 200 was granted to him by Richard III., 10th February 1484, repeated April 1484. Ib. XII. 213, 226.

P. 433. William, second Earl of Angus, was one of the hostages for King James I. when he was allowed to visit Scotland, 31st May 1421. Fœdera, X. 125, also for his ransom, 4th December 1423, when his annual revenue was estimated at 600 marks. Ib. 307. James, third Earl of Angus, was conservator of a truce with the English, 20th March 1438, Ib. 695, and died before November 1449, when George, fourth Earl of Angus, was conservator of a truce with the English. Ib. XI. 253.

P. 435. Archibald, Earl of Angus, granted a charter of the earldom of Angus and lordship of Kerymore, 1st June 1500, to Catherine Stirling, daughter of William Stirling of Keir, and the heirs male to be procreated betwixt her and him. Mag. Sig. L. xiii. No. 395. Elisabeth Drummond, wife of George, Master of Angus, had a portion of 1600 marks. Acta Dom. Conc. p. 221. 3d March 1491.

P. 436. At top of col. I. for 4. Alison, married to Robert Blackader of Blackader, and 5. Jean, married to David Home of Wedderburn; read 4. Alison, married, first, in 1510, to Robert Blackader of Blackader in Berwickshire, who was killed at Flodden, 9th September 1513, leaving by her two daughters, his coheiresses, 1. Beatrix, married to John Home, in her right of Blackader; and, 2. Margaret, married to his brother Robert Home, both sons of David Home of Wedderburn. She married, secondly, David Home of Wedderburn, who was killed in July 1524, in an encounter with the English between Ramrig and Swinton, and by him had issue. In the acts of the lords of council, 19th January 1530-1, she is designed Alison Douglas, Lady Wedderburn, sister to Archibald, sometime Earl of Angus. She was alive 1542.

P. 438. Archibald, eighth Earl of Angus, succeeded as Earl of Morton 1585. P. 441. For St Germain de Prez, read St Germain des Pres. P. 442. Archibald, Earl of Angus, by his first wife, Lady Anne Stuart, had three daughters, all of whom perished on the coast of Holland going over to the Continent, in July 1648. Hist. Sutherland, 542. P. 444. The Hon. Caroline Lucy Douglas was married at Bothwell Castle, 27th October 1810, to Captain George Scott, R. N. second son of the late John Scott of Gala.

Duffus. P. 446. William Sutherland of Duffus had a charter of Kinsteary in Nairnshire, 29th November 1524. Mag. Sig. L. xx. No. 121. William Sutherland, son and heir apparent of William Sutherland of Duffus, had a charter of Kinsteary, &c. 22d July 1527. Ib. No. 43. Margaret Sinclair, wife of William Sutherland of Duffus, had a charter of Quarrelwood and Lidget in liferent, confirmed 6th December 1579. Ib. L. xxxv. No. 103. James Sutherland of Kinsteary, brother-german of William Sutherland of Duffus, and Violet Fraser his wife, had a charter of Kinsteary, confirmed 2d March 1604. Ib. L. xliv. No. 30. James Sutherland of Kinsteary, and Magdalen Falconer his spouse, had a charter of Brichmonie in Nairnshire, confirmed 9th January 1610. Ib. L. xlvi. No. 44. William Sutherland of Duffus (No. IX.) died in October 1626; he had three sons, Alexander, then of the age of four years and a half; Lieutenant-Colonel John Sutherland; and William, who, under the designation of brother of Alexander, third Lord Duffus, was, 3d November 1657, served heir of Lieutenant-Colonel John Sutherland his immediate elder brother. Inq. Ret. xxv. 116. The first wife of Alexander first Lord Duffus, Lady Jean (not Margaret) Mackenzie, daughter of Colin, Earl of Seaforth, died at Duffus 31st March 1648, being then newly brought to bed of a son, and left four sons, then alive, by her husband, Alexander Sutherland. She was a comely, obliging, religious good lady, much lamented by her neighbours, but chiefly by her husband, who thereupon took a resolution to travel into foreign countries. Hist. Sutherland, 542. Lord Duffus's second wife, daughter of Sir Robert Innes of Innes, was married to him 13th January 1653, and died 21st March following, about ten weeks after her marriage. Brodie's Diary, p. 30.

Dumfries. P. 450. Robert, sixth Lord Crichton of Sanquhar, in 1596, entered into a contract, assigning the lordship of Sanquhar to James Crichton of Carco, one of the discreetest and wisest gentlemen of his kin, and much trusted by

bim. Carco, doubting the youth and rashness of his chief, who was much given to idle voyages and gadding abroad, and finding the less appearance of his settling at home and marrying, did provide by the contract, that failing heirs male of his lordship's body, that antient lordship should go to one bearing the surname and arms of Crichton. Lord Sanquhar made over his right to the lordship of Sanquhar in favour of his natural son; but William Crichton of Ryhill instituting a reduction of the same, a submission was entered into to King James VI., the chancellor, secretary, president of the session, and advocate. The King, by decreet arbitral of 2d May 1614, found the disposition to the natural son null and invalid, and that the undoubted right thereto belonged to William Crichton of Ryhill. This decreet-arbitral was confirmed by act of Parliament 1617. It appears from it that Robert, Lord Sanquhar, had a sister, Margaret, and that William Crichton of Ryhill, afterwards Lord Sanquhar and Earl of Dumfries, had a brother, Robert. P. 452. Anne Duff, Countess dowager of Dumfries and Stair, died at Brandsbury, 21st August 1811, æta. 73.

Dumblane. P. 461. col. 2. line 14 and 15, for, presented a petition to the House of Lords, read, presented a petition to the King, which was referred to the House of Lords. P. 461. The Duchess of Leeds had a second son in May 1812.

Dundee. E. P. 466. John, first Viscount of Dudhope, had a second son, Captain David Scrymgeour, who had two daughters, Clara and Margaret, served heirs portioners of David Scrymgeour, legitimate son of John, Viscount of Dudhope, their father, 11th July 1646. Inq. Ret. xviii. 268. Margaret was served heir of Clara her sister 8th October 1657. P. 468. Alexander Wedderburn of Wedderburn died 4th July 1811, and was succeeded by his brother Henry Scrimgeour, now Wedderburn of Wedderburn.

Dundee. V. P. 468. It was erroneously stated that Robert Graham of Fintry was ancestor of the gallant General Graham of Balgowan, and of the Grahams of Garvock, they being descended from his uncle William, see Vol. II. p. 237.

Dundonald. P. 476. Lady Elisabeth Heron died at London, 19th February 1811, æta 66. The Hon. Basil Cochrane married at Whitton Place, 13th August 1812, Mrs Lawry, widow of the Rev. S. Lawry, and sister of George Gostling, Esq. of the same place. P. 478. The Hon. Andrew Cochrane was chosen Member of Parliament for Grampound 1812, rechosen at the general election the same year. P. 480. Lord Cochrane was also rechosen for Westminster at the general election 1812.

Dunfermline. P. 481. Margaret, Countess of Dunfermline and Callender, was buried at Dalgety, 20th January 1660, not 1650.

Eglintoun. P. 486. Lord Montgomery was one of the commissioners appointed by the treaty of Nottingham, 22d September 1484, to settle disputes on the marches. Fœdera, XII. 241. P. 501. Lady Gabriella Stewart, who was contracted to the Earl of Eglintoun, preferring a life of celibacy, became a nun at Glattony, in Berry, in France. Hist. Earls of Sutherland, 125. P. 502. col. 1. Margaret Countess of Wintoun's two eldest sons were, 1. Robert, second Earl of Wintoun, who died without issue; 2. George, third Earl of Wintoun. P. 503. The Hon. Major-General Robert Montgomery's son, Alexander, was served heir of his father, 1st February 1690. Inq. Ret. xli. 29. P. 509. col. 2. line 5, for Coylsfield read Skelmorly, as Lilias Montgomery was heiress of Skelmorly, not of Coylsfield. P. 507, it was erroneously stated that Archibald, eleventh Earl of Eglintoun, raised, in 1793, a regiment of fencibles: his lordship did not raise that regiment, and refused even to patronize it. P. 510. The West Lowland fencible regiment was raised by Hugh Montgomery of Coylsfield, now twelfth Earl of Eglintoun, who had from the first the commission of colonel, not lieutenant-colonel, thereof. P. 511. Lady Mary Montgomery, lady of Archibald, Lord Montgomery, was delivered of a son and heir at Coylsfield, 25th January 1811, and her husband being appointed a major-general on the staff in Sicily, she accompanied him to that island, and was delivered of a second son at Palermo, 29th September 1812.

Elgin. P. 513. Mariot Herries, wife of Sir David Bruce of Clackmannan, was relict of David Stewart of Rosyth. Acta Dom. Conc. 184. 18th March 1490. P. 522. The Hon. Charles Andrew Bruce died at Penang, in Prince of Wales Island, of which he was governor, 27th December 1810. He was followed to the grave not merely with the greatest regret, which the judicious and successful administration of affairs will always create, but with the softer and more mournful feelings excited by personal regard, and the more amiable affections of the heart. During the short period of his government, the kindness of his manners, and the integrity of his conduct, had gained him in a peculiar degree the esteem of the whole island, and by allying a humane consideration for individuals, with the most impartial discharge of public duty, he has left an example that the real interests of government are compatible with great lenity and benevolence in the exercise of authority. His do-

mestic happiness and virtues were no less an object of general admiration; and it is among the sources of regret, on this distressing occasion, that such a pattern of conjugal affection and propriety as Mr and Mrs Bruce presented, was not permitted to have its influence longer on society. P. 523. The Countess of Elgin and Kincardine was delivered of a son at London 20th July 1811.

Elibank. P. 533. Sir John Lowther Johnston of Westerhall, died 24th December 1811, æta. 28, leaving two daughters, 1. Charlotte Margaret; 2. Anne Eliza.

Elphinston. P. 538. Alexander, fourth Lord Elphinston, had a fifth son, the Hon. Lewis Elphinston, a young gentleman of good expectations, who returning from a visit to his sister, the Countess of Sutherland, perished in the river Dovern, crossing it on horseback in a flood. Hist. Suth. 388. P. 543. John, twelfth Lord Elphinston, had the rank of lieutenant-general in the army, 1st January 1812.

Errol. P. 546. Sir Gilbert de Haya of Errol, was one of the ambassadors from Robert I. to Edward II. to whom a safe conduct was granted 18th September 1314. Fœdera, III. 496. P. 547. William, Dominus de Errol et de Hay, constabularius Scotiæ, was one of the hostages for James I. when he was allowed to visit Scotland, 31st May 1421. Ib. X. 125. A safe conduct was granted to William de Haya, miles, ambassador from James I. to Rome, to pass through England, 7th June 1424. Ib. 344. An order for the release of Gilbert Hay, hostage, was issued 9th March 1427, and six horses ordered to be provided for his carriage from the tower of London to York, 13th April 1427. Ib. 372, 373. P. 547. col. 2. line 17. from the bottom, the date of creation of Earl of Errol is erroneously printed 1542-3, *for 1452-3.* P. 553. Charles, twelfth Earl of Errol, *died 16th October 1717*, and his sister Mary was, 6th February 1718, served heir of him in toto et integro titulo honore et dignitate Comitis de Errol, ac etiam in dominio et baronia de Slains, officio constabularii regni Scotiæ, cum hostilagiis ejusdem. P. 556. Lady Harriet Jane Hay died unmarried at the Countess Dowager of Errol's apartments in Hampton-Court Palace, 24th September 1812, æta. 45. P. 556. Alicia, Countess of Errol, died at Bath, 24th April 1812.

Fairfax. P. 565. The petition of the Rev. Bryan Fairfax to the King, claiming the title and dignity of Lord Fairfax of Cameron, was referred to the House of Lords, 17th December 1798, and it was resolved, 6th May 1800, that the petitioner hath made out his claim to the title, honour, and dignity of Lord Fairfax of Cameron.

Fife. P. 575. A safe conduct was granted to Mary, Countess of Fife, returning from Scotland, (where she had been with leave,) into England, 24th May 1345. Fœdera, V. 452. P. 577. The Hon. Lewis Duff died in Craven Street, London, 14th October 1811, æta. 74. P. 578. Alexander, third Earl of Fife, died at Duff-house, 17th April 1811, in the 80th year of his age, succeeded by his son James, Viscount Macduff, now fourth Earl of Fife. The Hon. Alexander Duff ranks as major-general in the army; he married at Edinburgh, 16th March 1812, Anne, youngest daughter of James Stein of Kilbagie, and has a son.

Findlater. P. 583. For the creation of Lord Ogilvy of Deskford, reference is made by Crawford, Peerage, page 144, to Sir George Mackenzie's MS. of the baronage of Scotland. The limitations do not appear. P. 587. Anne Dunbar, Countess of Seafield, was born in 1672, married in her 16th year, and died at Cullen, 14th August 1708. An account of that pious lady is in the Christian Observer for January 1812. Sir James Grant of Grant died at Castle-Grant, 18th February 1811, æta. 73. His second surviving son, Francis William Grant, M. P. married at London, 21st May 1811, Mary Anne, only daughter of J. C. Dunn, Esq. of the island of St Helena, and has a son, born April 1812. P. 588, James, seventh Earl of Findlater, and fourth Earl of Seafield, died at Dresden in Saxony, 5th October 1811, æta. 62, when his extensive estates and the titles of Earl of Seafield, Viscount of Reidhaven, and Lord Ogilvy of Deskford and Cullen, devolved on Sir Lewis Alexander Grant of Grant, baronet. The heir male entitled to succeed to the earldom of Findlater has not yet been ascertained.

Forrester. P. 609. A safe conduct was granted, 15th June 1464, to Alexander Forstar, Dominus de Corstorfyn, and Gilbert Forstar, to visit St John of Amiens in Picardy. Fœdera, XI. 528. P. 604. James Walter, Viscount Grimston and Lord Forrester, had a second son April 1812.

Fraser. P. 607. Andrew, third Lord Fraser, was served heir of his father, 24th December 1664. Inq. Ret. xxvii. 288. It was Andrew the third Lord, not Andrew the second Lord, who died 21st May 1674; his son Charles, the fourth Lord, was served heir male of him 2d March 1683. Ib. xxxvii. 109.

Frendraught. P. 608. The foundation charter of Holyroodhouse 1128, is witnessed Turstano de Crectune. Reg. Mag. Sig. 186. P. 610. James Crichton of Frendraught, was served heir of James his father, 22d March 1620. Inq. Ret. vii. 286. P. 612. James, second Viscount of Frendraught, was indicted 4th July 1664, for the murder of Mr Alexander Gregorie of Netherdale. Gre-

gory had been invited by Francis Crichton to Bognie-house, where he was mortally wounded. Francis did not appear to stand trial; the Viscount was acquitted. MS. Justiciary Records.

Galloway. L. P. 613. Alanus de Galweya, Constabularius, was one of those who swore to the performance of the marriage treaty of Alexander II. with Joan of England, 15th June 1220. Fœdera, I. 231. P. 614, col. 1. line 4, for coheiress read coheiresses.

Galloway, E. P. 620. Sir James Stewart of Corswall, knight baronet, was served tutor at law of Alexander, Lord Garlies, and Anna Stewart, proles legitimis quond. Alexandri Domini Garlies, 2d May 1639; this proves that Alexander, Lord Garlies, had a daughter, Anne. P. 624. The Hon. Major-General William Stewart was elected M. P. for the county of Wigton, and his brother, the Hon. Major James Henry Keith Stewart, for the boroughs of Wigton, &c. at the general election 1812.

Glasgow. P. 630. David Boyle, one of the lords of Session and Justiciary, was appointed Lord Justice-Clerk 29th October 1811.

Glencairn. P. 633. It was not Sir William Cunningham of Kilmaurs, but le heir ou frer Mons. William de Conyngham, who was proposed as a hostage for David II. 13th July 1354. Fœdera, V. 792. A safe conduct was granted to Robert de Cunigame de Kilmaurs, to meet King James I. at Durham, 13th December 1423. Ib. X. 309. Lord Kilmaurs sat *in* Parliament 21st November 1469. Rec. Parl. 153. P. 636. James, 7th Earl of Glencairn's marriage to Margaret Campbell, took place 5th September 1574, and their eldest daughter Lady Jean was baptized 8th January 1575-6, as appears from the registers of Perth. Lady Janet Ker, wife of William, the eighth Earl, had a charter of the dominical lands of Kilmarnock, 30th July 1614. Mag. Sig. L. xlvii. No. 300. Their second son, Robert, had a son, William, served heir of Colonel Robert Cunningham, brother-german of William, Earl of Glencairn, his father, 1st February 1690. Inq. Ret. xli. 118. P. 640. The following documents, relative to the claims to the earldom of Glencairn, by Sir Adam Fergusson, Lady Harriet Don, and Sir Walter Montgomery Cunninghame, are taken from the journals of the House of Lords.

Petition of Sir Adam Fergusson to the King, referred to the House of Lords, 22d November 1796, of this tenor:

That his Majesty King James III. by his charter or letters patent under the great seal of Scotland, dated 28th May 1488, was pleased to confer upon Alexander, Lord Kilmaurs, the dignity of an Earl, by the title of Earl of Glencairn and Lord Kilmaurs, to be enjoyed by him in all time to come; and for the increase of his estate, and support of his honour, did, by the same charter or letters patent, grant certain lands therein mentioned, to the said Earl of Glencairn Lord Kilmaurs, to be held by him, and his heirs, of the King, his heirs and successors, in all time to come.

That the said dignity and all the privileges thereof, were enjoyed by the said Alexander, so created Earl of Glencairn, and by his descendants in direct line, from father to son, till the dignity became vested in William, the ninth Earl of Glencairn, who obtained from King Charles I. letters patent under the great seal of Scotland, dated 21st June 1637, ratifying and confirming the said letters patent granted by King James III., and the said honour and dignity of Earl of Glencairn, to the said William, and his heirs and successors for ever.

That the said William, Earl of Glencairn, was succeeded by his son, Alexander, the tenth Earl, who died, leaving issue only one daughter, the Lady Margaret, married to John, Earl of Lauderdale, the eldest son and heir of which marriage was James Maitland, commonly called Lord Maitland, who married Lady Jane Sutherland, and died in the year 1709, leaving issue only one daughter, Jane, who married Sir James Fergusson, late of Kilkerran, baronet, the father of your Majesty's petitioner. That your Majesty's petitioner being the eldest son of the said Sir James Fergusson by the said Jane Maitland, conceives, and is advised, that he has right to the said titles and dignity of Earl of Glencairn and Lord Kilmaurs, as the heir of line of the said first Earl of Glencairn, and of the said William, Earl of Glencairn, who obtained the patent of confirmation 1637; but, before assuming the said dignity, he has been advised to make this humble application to your Majesty.

Your Majesty's petitioner therefore humbly prays, that your Majesty will be pleased, in consideration of the premises, to adjudge and declare that your petitioner has right to the honours and dignity of Earl of Glencairn and Lord Kilmaurs, and to give such other relief to your petitioner as to your Majesty in your great wisdom may seem proper.

Minutes of the House of Lords, 2d March 1797. A petition of Harriet, commonly called Lady Harriet Don, wife of Sir Alexander Don of Newton Don, baronet, and eldest sister of John, late Earl of Glencairn, deceased, setting forth that Sir Adam Fergusson of Kilkerran, baronet, having presented his petition to his Majesty, praying for an adjudication to him of the honours and dignity of Earl of Glencairn and Lord Kilmaurs, the same hath been referred by his Majesty to their Lordships, and by their Lordships to the Lords'

committees of privileges. [Petition recited.] That the grounds upon which the said Sir Adam Fergusson lays claim to the titles, honours, and dignities of Earl of Glencairn and Lord Kilmaurs assume, or at least imply, that your petitioner's two brothers, her father, grandfather, and great-grandfather, usurped these honours and dignities, and held and enjoyed the same in fraud of him the said Sir Adam Fergusson, and his mother, the aforesaid Jane Maitland, and that the several parliaments of Scotland and Great Britain, in which the 11th and 12th Earls, and James the 14th Earl of Glencairn, sat and voted, were either participant in such fraud, or grossly imposed upon, the contrary of all which the petitioner contends is the truth and justice of the case. That John, late Earl of Glencairn, your petitioner's last surviving brother, died in September 1796, without issue, and the petitioner, who is his eldest sister, feels called upon, in vindication of the rights and honour of her ancestors, as well as for shewing that she has a preferable claim and right to the honour and dignities of Earl of Glencairn and Lord Kilmaurs, to oppose the said petition and claim of Sir Adam Fergusson; and therefore praying that their Lordships will permit her to be heard by her counsel, against the claim set up by the petition of the said Sir Adam Fergusson, and in support of her own right and interest, before the Lords' committees of privileges, or to give the petitioner such other opportunity of stating her interest, in opposition to the said Sir Adam Fergusson, and in such manner as to their Lordships in their great wisdom shall seem meet.

It is ordered, that the said petition be referred to the Lords' committees of privileges, and that the petitioner be at liberty to be heard by her counsel against the said claim, and in support of her right and interest.

Minutes of the House of Lords, 27th April 1797. Upon reading the petition of Sir Walter Montgomery Cunninghame of Corsehill, baronet, setting forth that Sir Adam Fergusson of Kilkerran, baronet, having presented a petition to his Majesty praying for an adjudication to him of the honours and dignity of Earl of Glencairn and Lord Kilmaurs, &c.

That the said Sir Adam Fergusson, by his petition above recited, confounds the title of Lord Kilmaurs with that of Earl of Glencairn, although the one is separate and distinct from the other, the title of Lord Kilmaurs having been conferred by King James II. on Sir Alexander Cunningham of Kilmaurs, who sat in the Scotish Parliament as Lord Kilmaurs, in the year 1454, or at least soon thereafter, and from thenceforward down to the year 1487-8; and as the patent creating the dignity of Lord Kilmaurs nowhere appears, the petitioner conceives, and is advised, that the same belongs to him as heir *male* of the said Sir Alexander Cunninghame, who first sat in Parliament as Lord Kilmaurs, and does not belong to the said Sir Adam Fergusson, who is descended of a female, and claims the same as heir of line. That, moreover, the petitioner conceives, and is advised, that the title of Earl of Glencairn was a title of dignity conferred upon the said Alexander, Lord Kilmaurs, and the heirs male of his body, inasmuch as in the patent of James III., stated in the petition of the said Sir Adam Fergusson, as the original patent creating the dignity of Earl of Glencairn, the said Sir Alexander, before Lord Kilmaurs, is stiled Earl of Glencairn, and there is no limitation of the dignity to any heirs of the said Earl, and the said dignities of Earl of Glencairn and Lord Kilmaurs have been enjoyed in a direct line of male descent, in exclusion of the heirs of line, as herein aftermentioned, from the aforesaid Alexander, Lord Kilmaurs and Earl of Glencairn, during the period from the year 1488, to the death of John, the 15th Earl of Glencairn and Lord Kilmaurs, who died in September 1796; and the letters of confirmation obtained by William, the ninth Earl of Glencairn, in the year 1637, from King Charles I., mentioned in the said petition of the said Sir Adam Fergusson, do not purport to alter or vary the original limitation of the honours of Glencairn or Kilmaurs, or either of them, but to confirm the said honour of Earl of Glencairn to the said William, according to his prior title thereto; and farther, inasmuch as all the charters of the lands and baronies of Kilmaurs and Glencairn, being the family estates, which from the year 1488 were possessed by the persons who enjoyed the titles of dignity aforesaid, were conceived in favour of the grantees, and their heirs male, or heirs male of tailzie, and particularly as the charters in favour of the said William, Earl of Glencairn, who, in 1637, obtained from King Charles I. such letters of confirmation as aforesaid, were to him and the heirs male of tailzie; and the said William, Earl of Glencairn, did himself, on the 27th July 1642, after he had obtained such letters of confirmation, expede a crown charter of confirmation of a disposition, with the seisin thereon, which is thus described: De data 1mo die mensis Februarii anno 1628, fact. per quondam Willielmum Comitem de Glencairn inibi designat. Gulielmum Dominum Kilmaueris, hæredibusque masculis tunc de corpore suo legitime procreand. quibus deficien. dict. quond. Willielmo Domino Kilmaueris hæredibusque suis masculis et talliæ in infeofamentis terrarum de Glencairn specificat. de data apud Edinburgum 3 Julii 1611, de totis et integris terris et baronia de Kilmaueris, cum castro, &c.: which charter contains a grant of novodamus memorato præconfiso nostro consanguineo Willielmo Comiti de Glencairn, et hæredibus masculis de corpore suo legitime procreat. seu procreand. quibus deficien. hæredibus suis masculis et talliæ in prædicto in-

feofamento terrarum et comitatus de Glencairn, specific. de data 3 Junii 1614; by which charter the said William the 9th Earl excluded his four daughters from the succession, as they were also excluded by the deed of entail therein recited; and lastly, inasmuch as John, the fourth son of the said William, the 9th Earl, who in 1637 obtained from King Charles I. such confirmation of the honours of Glencairn, succeeded his brother, Alexander, the tenth Earl of Glencairn, as well in the estates as in the title of dignity, and became 11th Earl of Glencairn, in preference to the daughter of the 10th Earl, the Lady Margaret, as descendant of whom the said Sir Adam Fergusson claims the title of dignity; and the aforesaid John, the 11th Earl, sat as Earl of Glencairn in the Scotish Parliament, notwithstanding such now pretended title of the said Lady Margaret to have been Countess of Glencairn, as heir of line of the said Earl William, and the said John, eleventh Earl of Glencairn, and his male descendants, (one of whom viz. his great grandson, James, the 14th Earl of Glencairn, sat as one of the sixteen Peers, who represented the Peers of Scotland, in the Parliament of Great Britain,) continued to enjoy the titles of dignity of Earls of Glencairn and Lord Kilmaurs, as heirs male of the said Alexander, first Earl of Glencairn and Lord Kilmaurs, till his issue male failed in the person of John, the fifteenth Earl of Glencairn, who died in September 1796, and who was heir male of the said Alexander, Lord Kilmaurs, first Earl of Glencairn, as heir male of the body of Alexander, eldest son of William, fourth Earl of Glencairn: That the petitioner is the heir male of Andrew, laird of Corsehill, who was second son of the said William, the fourth Earl of Glencairn, and is now in possession of the estate of Corschill, which was first acquired by the aforesaid Andrew; and as the petitioner hopes to be able to shew, that on the death of the said John, fifteenth Earl of Glencairn, the heir male of the eldest son of the said William, fourth Earl of Glencairn, failed, so he conceives, and is advised, that as heir male, as well to the aforesaid Sir Alexander Cunninghame of Kilmaurs, created Lord Kilmaurs before the year 1466, and afterwards raised to the dignity of Earl of Glencairn, as also to the aforesaid William, fourth Earl of Glencairn, by his second son, the said Andrew, laird of Corschill, and to the aforesaid William, Earl of Glencairn, who in 1637 obtained from King Charles *I.* a confirmation of the title of dignity, he has right to the honours of Earl of Glencairn, and also to the honours of Lord Kilmaurs, and has a manifest interest, as male decendant of the said fourth Earl of Glencairn, to oppose the claim of the aforesaid Sir Adam Fergusson as heir of line; and as the possession of the honours of Earl of Glencairn and Lord Kilmaurs have been enjoyed in contradiction to the claim of the said Sir Adam Fergusson, by the said John, eleventh Earl of Glencairn, and his heirs male, as heirs male of the said first Earl of Glencairn and Lord Kilmaurs, from the death of the said 10th Earl in 1670, until the death of the 15th Earl in 1796, being a period of upwards of 120 years; and therefore praying, that their Lordships will be pleased to allow him to be heard by his counsel in support of his interest against the petition of the said Sir Adam Fergusson, & c.

It is ordered that the said petition be referred to the Lords' committees for privileges, appointed to consider of the petition of Sir Adam Fergusson, claiming the titles, honours, and dignities of Earl of Glencairn and Lord Kilmaurs, and that the petitioner be at liberty to be heard by his counsel against the said claim, and in support of his own right and interest.

Gordon. P. 643. Elisabeth de Gordon, wife of Alexander Seton, died 16th March 1438, and was buried at Aberdeen; she had three sons, Alexander, Earl of Huntly, William, and Henry; these two last were killed at the battle of Brechin, 8th May 1452. Hist. Sutherland, 68, 72. P. 656. Alexander Gordon, archbishop of Athens, had two sons, Laurence Gordon, Lord of Glenluce, and John Gordon, Lord of Longormes, and dean of Salisbury, who was served heir of his brother Laurence, 6th June 1610. Inq. Ret. iv. 302, father of Louisa, wife of Sir Robert Gordon of Gordonstoun. John, Lord Gordon, had a third son, James, chancellor of Moray. Hist. Sutherland, 85. P. 656. Jane, Duchess of Gordon, died at London, 11th April 1812. P. 657. Her grandson, Sir John Gordon Sinclair, married, in June 1812, Anne, daughter of the Hon. Admiral Michael de Courcy, son of John, twenty-fifth Lord Kingsale.

Gowrie. P. 603. A correspondent has communicated the following extracts from the register of marriages, baptisms, and deaths at Perth. 17th August 156[1], married, William, Lord Ruthven, and Dorothy Stewart (N. the word lord inserted in a newer hand.) 27th January 1568-9, was baptised Lilias Ruthven, daughter of William Lord Ruthven; witnesses, Colin Campbell of Glenorchie, Patrick, Master of Drummond. 30th April 1570, was baptised Dorothea Ruthven, daughter of William, Lord Ruthven. Penult. Febr. 1571-2, was baptised Catharine Ruthven, daughter of William, Lord Ruthven; witnesses, Hary, Lord Meffen, Patrick, Lord Drummond. 25th September 1575, was baptised James Ruthven, son of William, Lord Ruthven; witnesses, James, Earl of Morton, Regent, Archibald, Earl of Angus. 4th January 1579-80, were married John, Earl of Atholl, and Mary Ruthven. 22d January 1580-1, was baptised

Alexander Ruthven, son of William, Lord Ruthven, witnesses, my Lord Atholl, Alexander, Lord Hume. From this entry it appears, that Alexander Ruthven was only 19 years and seven months old when he was killed at Perth, 5th August 1600. The titles of Earl of Gowrie, Lord Ruthven, and Dirletoun, were ratified to John, Earl of Gowrie, his heirs and successors, by act of parliament 1592.

Gray. P. 665. Johan fitz et heir Johan de Gray, hostage for David II., remained in the custody of the sheriff of Northumberland, 20th May 1362. Fœdera, VI. 364. P. 666. It was erroneously stated, on the authority of Carmichael's Tracts, 42, that the creation of Lord Gray as a lord of parliament took place before 9th October 1437, whereas it appears from the records of parliament, 141, that 9th October 1466 is the true date of that parliament, as already mentioned at page 664 of the Appendix. P. 672. William, Master of Gray, was served heir of his father Sir William Gray of Pittendrum, 4th April 1649. Inq. Ret. xix. 357. P. 675. Arms, gules, a lion rampant, within a border ingrailed, argent.

Haddington. P. 679. According to the first edition, Isobel, Countess of Airly, was daughter of the first marriage of the Earl of Haddington; according to Crawford (Peer. 182.) of the second marriage. P. 681. Jean Gordon, Countess dowager of Haddington, died in summer 1655. Lamont's Annals, MS. P. 684. George Baillie of Jerviswood had a son, 30th May 1811, and the Rev. Charles Baillie a daughter, 16th May 1812. Grizel, Countess dowager of Stanhope, died at Ovenden in Kent, 28th December 1811, in her 93d year. She was remarkable for acuteness of understanding, and exquisite sensibility of heart. Religion, and the confident expectation of a future and better state, were to her a never-failing source of comfort and exalted happiness. The distressed always found her Ladyship a warm-hearted friend, and her judicious and extensive charity relieved many hundreds of poor in her neighbourhood. The amiableness of her disposition was never more strikingly observable than in her last moments, and one of the affecting expressions which she used a short time before her death was, that she had the consolation to reflect that she had never spared any trouble to be of use.

Halyburton. P. 688. Robert, Duke of Albany, confirming three charters of Walter de Haliburton de Dryton, and Walter de Haliburton dominus ejusdem, styles him dilectus filius noster. Reg. Mag. Sig. 232, 233. Walter, Dominus de Dirltone, was delivered as a hostage for David II., 28th March 1424, and relensed 16th July 1428. Fœdera, X. 327, 348. P. 688. col. 2. line 2 from the bottom, for 1586 read 1486; and page 689, col. 1. line 2, for 1590 read 1490.

Hamilton. P. 693. An order was issued to the Archbishop of York, 14th Feb. 1347, not to deliver up David Fitzwauter Fitzgilbert without the King's special mandate. Fœdera, V. 547. P. 694. John de Hamilton, miles, was, 20th March 1399, one of the commissioners for receiving the oath of Richard II. for the fulfilment of the truce with Scotland. Fœdera, VIII. 69. Thomas de Hamylton was ordered to be released out of the Tower of London, 12th April 1413. Ib. IX. 5. Sir James Hamilton of Cadyou and his brother David's letter of safe conduct was granted 6th September 1413, not in 1411. Ib. X. 49. James de Hamylton, Dominus de Cadzou, was a hostage for James I. when he was allowed to visit his dominions, 31st May 1421. Ib. X. 125. James, Dominus de Cadzo, was one of the hostages delivered for James I., 28th March 1424, his income being estimated at 500 marks. Ib. 328. He was still a hostage in England, 8th March 1425, when a safe conduct was granted to servants to repair to him. Ib. 342. P. 696. col. 1. line 7, for fell for ever, read, became paralysed; and col. 2. line 26, for talia, read tallia. P. 697. In the note, the charter confirmed 10th May 1491, is Mag. Sig. L. xii. No. 301, not 224. P. 698. The sentence of divorce of Elisabeth Home from James, second Earl of Arran, was pronounced by the ecclesiastical court at Glasgow, 16th November 1504; a copy of the proceedings relative to this divorce, and of the definitive sentence, is at the end of a MS. of R. Glover, Somerset, in the Harleian Library, No. 245. P. 699. It is rather extraordinary, that Sir John Hamilton of Clydesdale is omitted in the charter to the second Earl of Arran, 1540, and included in the charter of 1551, while Gavin Hamilton is included in the former, and omitted in the latter. P. 700. James, Duke of Chatelherault, was invested with the order of St Michael in 1546. P. 702. It may be doubted whether Lord John Hamilton was born in 1532, as it is probable his father and mother were married about the date of the charter granted to her of part of Kinneil, 25th September 1532. It is not clear whether the family estates devolved on him at his father's death; most probably they went to his elder brother the Earl of Arran. P. 704. James, second Marquis of Hamilton, was chosen knight of the Garter by an extraordinary chapter holden in the King's bed-chamber at Whitehall, 9th February 1621, upon the death of Thomas, Earl of Exeter, which had happened on the day before. He died 2d March 1625. P. 710. The Right Hon. Sir William Hamilton, K. B. married, first, Catherine, daughter of John Barlow of Slebeck in Pembrokeshire; secondly, Miss Emma Lyons. P. 724.

Lord Archibald Hamilton was rechosen for the county of Lanark at the general election 1812.

Herries. P. 726. A safe conduct was granted to John Herys into England, 28th February 1361, Fœdera, VI. 315; to John Herys de Scotia miles, with six horsemen, towards St John of Amboise, 5th December 1363, Ib. 428; *to John* de Herritz, miles, with 20 horsemen, 17th June 1369, Ib. 614; to John Herris, miles, as hostage for the Earl of Douglas, 21st September 1405, Ib. VIII. 417; to Harbertus Heyrs de Tarreglys to Durham to meet King James I., 13th December 1323, Ib. X. 304.

Holyroodhouse. P. 728. Johannes de Bothe-ville de Scotia had a safe conduct to go through England to Amboise, 16th October 1355. Fœdera, VI. 478. P. 730. Alexander Bothwell was, 2d April 1645, served hæres tallíæ Adami Bothwell, filii legitimi Adami Bothwell de Glencross filii patrui. Inq. Ret. xviii. 59.

Hopetoun. P. 745. William Hope Weir of Craigiehall and Blackwood, died at Clifton, 8th September 1811, in his 76th year, and was succeeded by his eldest surviving son James Joseph. P. 746. Charles Hope, Lord Justice-Clerk, was appointed Lord President of the Court of Session, 22d October 1811. William Johnston Hope was promoted to the rank of rear-admiral, 12th August 1812, and rechosen for the county of Dumfries at the general election same year. P. 747. George Hope was promoted to the same rank 1811, and appointed one of the lords of admiralty, 24th March 1812. P. 749. The Hon. Sir John Hope, K. B. was appointed commander in chief of the forces in Ireland in January 1812, and had a sixth son born at Dublin, 6th October 1812. P. 750. The Hon. Charles Hope was promoted to the rank of lieutenant-general, 1st January 1812, and was rechosen for the county of Haddington at the general election same year. The Hon. Alexander Hope had a son at Great Marlow, 14th July 1812, and was rechosen for the county of Linlithgow at the general election same year.

Hynilford. P. 753. Jean and Anna Carmichael were served heirs portioners of Margaret Carmichael, legitimate daughter of Sir Hugh Carmichael de eodem, their sister, 17th July 1649. Inq. Ret. xix. P. 372. The Hon. Sir James Carmichael of Bonnytoun's eldest son James, was, 27th July 1665, served heir of Jean Grier, daughter of Sir John Grier of Lag his grand aunt, being described as filius natu maximus Dni Jacobi Carmichael de Bonitoune. Ib. xxvi. 50. He appears to have died before his father, as John Carmichael of Bonnitoune was served heir of Sir James Carmichael of Bonnitoune, knight, his father, 4th November 1681. Sir James Carmichael of Bonnyton was served heir of Sir John Carmichael of Bonnyton his father, and heir male of Sir James Carmichel of Bonnyton, knight, his grandfather, 12th April 1692.

Isles. Vol. II. P. 6. col. 1. line 19, for filius Somerledi, read filii Somerledi. P. 6. Dovenald filius Anegos made default at Baliol's parliament, February 1292-3. Fœdera, II. 605. P. 8. Johan des Isles was enumerated among the allies of England, 1st July 1392, Ib. VII. 724, again 1396, Ib. 824. Godefridus Foliumbe was one of the envoys from England to John, Lord of the Isles, 31st March 1356. Ib. V. 849.

Kellie. P. 22. David Erskine, father of Thomas, ninth Earl of Kellie, died at Edinburgh, 7th October 1769.

Kenmore. P. 29. Sir Patrick Maxwell was grandfather, not father, of Sir William Maxwell, father of Sir John Heron Maxwell. See Vol. II. page 387.

Kilmarnock. P. 31. col. 2. line 38, for Sir John Gifford read Hugh Giffard. Thomas Boyde Dous de Kylmornowe was a hostage for King James I. when he was allowed to visit Scotland, 31st May 1421. Fœdera, X. 125. He was delivered as a hostage, 28th March 1424, and released 16th July 1425. Ib. 327, 348. P. 32. col. 1. line 12, for Duncow read Drumcoll. A safe conduct was granted to Robert, Lord Boyde, and Alexander Boyde, knight, into England, 5th December 1463. Fœdera, XI. 509. A safe conduct was granted to Alexander Boyd, knight, as ambassador to England, 28th March 1465, and to Alexander Boyd of Drumcoll, knight, in the same capacity, 8th September 1465. Ib. 541, 549. Col. 1. line 22, for James III. read James II. P. 33. The Earl of Arran officiated as constable in the parliament 12th October 1467; Quo etiam die communicato super nonnullis statum Domini Regis, et regni et republicæ utilitatem concernentibus de mandato Domini Regis et Cancellarii Comes de Arane constabularius hac vice per dominum regem specialiter deputatus præsens parliamentum in crastinum continuavit. Rec. Parl. 119.

Kinnoul. P. 44. 23d July 1618, Jacobus Dominus Hay de Sala, served heir of his father Domini Jacobi Hay de Kingask, *militis*, computorum rotulatoris S. D. N. Regis, in the hereditary office camerariatus terrarum propriarum S. D. N. Regis infra comitatum et dominium de Fyff, cum annuo feodo L. 200, 2 celdrarum tritici, 2 celd-

rarum ordei, de censubus et redditibus dicti comitatus et dominii. Inq. Ret. vii. 86. P. 52. 6th July 1798, the Earl of Kinnoul presented to the House of Lords a petition, stating that he abstained from voting at the election of representative peers of Scotland, 24th July 1790, because of the declaration of the clerks, that they were not to reckon the votes of the Duke of Queensberry and the Earl of Abercorn, and that if they had acted otherwise he meant to have given or tendered his vote. It was moved to resolve, that the vote of the Earl of Kinnoull was duly tendered at the last election of sixteen peers of Scotland to represent the peers of Scotland in the parliament of Great Britain, which was resolved in the negative.

Kintore. P. 53. John, first Earl of Kintore, had four sons, 1. William; 2. ——; 3. George; 4. Charles. See patent of the title, Appendix, No. I. page 688. The great seal register, L. lxii. No. 98, contains Remissio et Rehabilitatio Gulielmi Domini Inverurie pro rebellione, 27th November 1690. P. 54. Robert Fanconer had a safe conduct into England, 19th October 1398. Fœdera, VIII. 54. P. 58. William, sixth Earl of Kintore, died at Keithhall October 1812, æta. 46, and was succeeded by his eldest son Anthony Adrian, seventh Earl of Kintore.

Lauderdale. P. 77. The Hon. Thomas Maitland was chosen Member of Parliament for the boroughs of Haddington, &c. at the general election 1812, and ranks as lieutenant-general in the army.

Lennox, E. P. 81. Alwyn, second Earl of Lennox, died about 1224, not 1124.

Lennox. D. P. 97. col. 1. line 44, the forfeiture of the Earl of Lennox took place 1st (not 9th) October 1545. Rec. Parl. 685, 710. Col. 2. last line, for King James V. read King James IV.

Lennox, D. P. 109. Lord Henry Adam Lennox, third son of Charles, Duke of Richmond and Lennox, a most amiable and promising youth, whose taste and spirit had led him to embrace the naval profession, was a midshipman on board the Blake of 74 guns, Captain Codrington. That ship coming to anchor at Portmahon in Minorca, 25th February 1812, Lord Henry, going aloft to assist in furling the sails, unfortunately fell into the sea. One of his comrades swam to save him, but he was found lifeless, having probably received a fatal blow in his fall. His remains were interred in Fort St Philips amidst the tears of all present, and deeply lamented by Captain Codrington, and every individual on board the ship.

Leven. P. 117. Catherine, Countess of Leven, was served heir of entail and provision of her sister, Margaret, Countess of Leven, in the earldom of Leven, lordship and barony of Balgony, &c. 22d May 1675. Inq. Ret. xxxii. 137. David, Earl of Leven, second son of George, Lord Melville, was served heir of entail and provision of Catherine, Countess of Leven, his cousin, in the earldom of Leven, lordship and barony of Balgony, &c. 26th April 1682. Ib. xxxvi. 195. P. 119. The Hon. George Melville Leslie died at London, 8th March 1812. The Hon. John Thornton Melville Leslie was married at London, 15th September 1812, to his cousin Harriet, youngest daughter of Samuel Thornton, Esq. M. P. for Surry.

Lindores. P. 120. line 26, for Andrew, fifth Earl of Rothes, read Andrew, fourth Earl of Rothes.

Linlithgow. P. 129. col. 2. line 37, leave out the words, by his successor.

Lothian. P. 133. col. 1. The Kers of Jedburgh who had charters, specified in the note, were the Kers of Littledean. See Vol. II. page 443. P. 143. The Countess of Ancrum was delivered of a fourth daughter at Richmond, 19th May 1812.

Loudoun. P. 144. Sir Andrew Campbell of Loudoun was removed from the Tower of London to Rockingham Castle, 20th August 1347. Fœdera, V. 583; he was permitted to go to Scotland for a while, 1356, Ib. 874, and had a safe conduct, 25th October 1357. Ib. VI. 67. P. 145. George Campbell of Loudoun, hostage, was allowed to return to Scotland, 16th July 1425. Ib. X. 348. P. 154. Flora, Countess of Loudoun and Moira, was delivered of a daughter, 25th February 1812. The Earl of Moira was invested with the order of the Garter, and appointed governor-general of Bengal, 1812.

Lovat. P. 156. Hugo Fresale de Lovet had a safe conduct to meet King James I. at Durham, 13th December 1423. Fœdera, X. 309.

Lyle. P. 163. Sir Robert Lyle, hostage, was released 16th July 1425, when George his eldest son was sent a hostage in his stead. Fœdera, X. 348. George de Lyle, hostage, was released 9th November 1427, Ib. 381. George appears to have died before his father.

P. 165. To the Right Honourable the Lords spiritual and temporal in Parliament assembled, the humble petition of Walter, Lord Lyle, presented and read on the 22d of December 1790, Sheweth,

That at the late election of sixteen Peers to represent the Peers of Scotland, in the present Parliament, your petitioner attended, and required the deputies of the Lord Clerk Register, acting as returning officers, to administer to him the oaths required to be taken by law, and did then and there tender his vote for the following noble lords, to represent the Peerage of Scotland in the present Parliament, namely, the Marquis of Tweeddale, the Earls of Glencairn, Strathmore, Lauderdale, Dumfries, Selkirk, Breadalbane, Aberdeen, and Hopetoun, the Lord Viscount Stormont, the Lords Salton, Gray, Sempill, Cranstoun, Elibank, and Kinnaird.

That the returning officer, on certain frivolous pretences, refused to administer the oaths to your petitioner, or to receive his votes so tendered; whereas, your petitioner apprehends, and is advised, that as a Peer of Scotland he was well entitled to vote; and that in determining the merits of the said election, his votes ought to be reckoned, and the benefit thereof allowed to the said noble lords for whom the said votes were given or tendered.

Your petitioner therefore prays this most Honourable House, to take the premises into consideration, and to allow him to be heard by his counsel, and to grant to him and the Peers affected by the said refusal of the returning officers, such relief as to your Lordships in your great wisdom shall seem proper.

March. P. 167. The charter of Gospatricius Comes frater Dalfini, is witnessed by William, Duncan, and Gospatrick his sons. Reg. Mag. Sig. 55. P. 172. A safe conduct was granted to Elisabeth Duchess of Rothsay, and 20 personas equites in comitiva sua, 23d June 1511. Fœdera, VIII. 694. P. 173. Patricius primogenitus Comitis Marchiæ was substituted for one of the hostages for James I. 16th July 1425. He was released 9th November 1427. Ib. X. 348, 381.

Marchmont. P. 183. col. 2. line 33, for Manderston read Coldinghame. Sir Alexander Purves died at Inveresk, 15th November 1812, æta. 74, succeeded by his eldest son, now Sir William Purves Home Campbell, baronet, married at Penzance, 2d March 1812, to the widow of ——— Hall, of Flosk, in the bishoprick of Durham; she had a son at Edinburgh, 15th December 1812.

Marr. P. 200. Isabel, Countess of Marr, married, secondly, John, third Earl of Moray, thirdly, William de Careswell. Thomas, Earl of Marr, 24th February 1359, entered into an indenture to become liegeman of Edward III. against all persons in the world except David II. and a pension of 600 merks was allotted to him, Fœdera, VII. 119. A safe conduct was granted 5th September 1406, to Alexander Earl of Marr of Garviauch, ad certa facta armorum cum Edmundo Comite de Kent in præsentia Regis cum 70 personis. Ib. VIII. 450.

Moray, E. (Stewart.) P. 261. A petition was presented to the House of Lords by Lord Kinnaird against the votes given by the Earl of Moray, at the general election of representative Peers of Scotland, 24th July 1790. The objection proceeded on the ground that the *dignity* was descendible to females, of course was vested in the descendants of Emilia, daughter of James, Lord Doune, elder brother of Charles, fifth Earl of Moray. The House of Lords, 6th June 1793, came to the resolution "that the "votes given by the Earl of Moray at the said "election were good," thereby establishing his Lordship's right to the title. The Countess of Moray had a son 25th April 1812.

Morton. P. 272. For Sir Walter Stewart read Sir John Stewart. P. 277. The children of the Hon. John Douglas are, 1. Frances, born 10th January 1786, married to the Hon. Major-General William Stewart. 2. Anna Maria, born June 1787, died an infant. 3. George Sholto, born 23d December 1789, appointed 8th August 1812 his Majesty's secretary of legation at the Court of Sweden. 4. Edwin, a twin with George, died an infant. 5. Charles, born 10th March 1790. 6. Harriet, born 8th June 1792, married to Viscount Hamilton. 7. Charlotte, born 16th July 1793. 8. Emily, a twin with Charlotte. 9. Emma-Elisabeth, born 8th October 1794. 10. Caroline, born 17th December 1796. 11. Edward Gordon, born 20th June 1799. 12. Arthur James, born 13th January 1801.

Napier. P. 289. col. 2. line 19, for devoting his life, read devoting himself. P. 289. Napier's Rabdologiæ is dedicated to the Earl of Dunfermline, high chancellor of Scotland, præsertim cum exploratum habeam te meas illas virgulas tanti fecisse ut non ex vulgari materia sed ex argento fieri curaveris. The epitaph is

Quæ terrere solent ab amore matheseos, *illa*
Hoc parvo invenies esse remota libro.

P. 294, col. 2. line 1, for Lady Mary Graham, read Lady Margaret Graham. P. 301. Lieutenant-Colonel Charles James Napier was appointed governor of the Virgin Islands, February 1812. Major George Thomas Napier lost an arm at the capture of Ciudad Rodrigo, by assault, 19th January 1812. In a debate in the House of Commons, 10th February 1812, the Right Hon. C. Arbuthnott expressed his anxiety that Major Napier should not be forgotten. He was one of three brothers who had received among them eleven

wounds. The late Sir John Moore had expressed his high opinion of that brave officer, who had served and suffered in his country's cause as much as any man in the army. Major Napier was next day, 11th February, promoted to the rank of lieutenant-colonel in the army. He married at Bonnington Lodge, 22d October 1812, Margaret, daughter of John Craig, Esq. Major William Francis Patrick Napier married at Kensington Church, 16th March 1812, Caroline, youngest daughter of the Hon. General Henry Fox, and was promoted to a majority in the 43d regiment of foot, 18th May 1812. P. 303. The Hon. Charles Napier had an ensign's commission in the 71st regiment of foot in January 1812. The Hon. Francis Napier was promoted to the rank of lieutenant in the royal navy, in November 1812. P. 204. The Hon. William John Napier, was promoted to the rank of master and commander in the royal navy, June 1812.

Newark. P. 306. The votes given by Lord Newark at the election 24th July 1790, were disallowed by the House of Lords 6th June 1793, when it was resolved that the votes given at the said election, by the person who voted under the title of Lord Newark, were not good. There was produced in support of his title, a royal signature superscribed Charles R. 16th August 1672, on the resignation of Lord Newark, for expeding a charter of the title and estate of Newark to David, Lord Newark, in liferent, and after his decease to David, Master of Newark, and the heirs male of his body, which failing, to Jane Leslie his lawful daughter, procreate betwixt him and Mrs Elisabeth Stewart, his spouse, and to the heirs male or female lawfully to be procreate of the said Jean her body, successively without division, the heir male succeeding in the first place, and to the heirs male and female of their bodies, which failing, to the next eldest daughter or heir female of the body of David, Master of Newark, which failing, to Charles Leslie, his brother-german, and the heirs male of his body, which failing, to James Leslie, his third brother-german, and the heirs male of his body, &c. Charter thereon dated 14th July 1672, (a Sunday,) and written to the great seal 29th August 1672. The above signature and charter were deemed fabricated, as the following real writs or certified copies of the same were produced on the other side. 1. Signature or warrant for passing a charter of the barony of Abercrombie, and other lands in favour of David, Master of Newark, 16th August 1672. Charter of the lordship of Newark, and other lands, 16th August 1672, registered in the privy seal record, 14th April 1680. 3. Instrument of seisin of the lordship of Newark, in favour of David, master of Newark, 28th May 1680. 4. Precept for infeftment on resignation of the lands and barony of Newark, to David, Master of Newark, 14th April 1680.

Newburgh. P. 308. col. I. line 15, for 1729, read 1629.

Nithsdale. P. 319. John Maxwell of Terraughty was born 7th February 1720. P. 321. Lady Winifred Maxwell had two daughters. 1. Mary, married to John Webbe Weston, Esq. without issue; 2. Teresa, unmarried.

Ochiltree. P. 327. Sir William Stewart of Monkton, third son of Andrew, second Lord Ochiltree, in his charter of Carstairs, is designed legitimate son of Andrew, Lord Stewart of Ochiltree. He had a son, William, probably the person who killed Sir James Douglas of Parkhead, the murderer of his uncle, James Stewart, formerly Earl of Arran, in 1608. Andrew, Master of Ochiltree, had a gift of the eschaet of William Stewart, son of the deceased Sir William Stewart of Carstairs, put to the horn and denounced rebel, 13th March 1610.

Robert Stewart of Wester Braco, fifth son of Andrew, second Lord Ochiltree, had a gift of escheat 23d December 1584, wherein he is designed Robert Stewart of Braco Wester, brother of James, Earl of Arran. It appears he married Jean Ross, probably daughter of James Ross of Pitheveless, in Perthshire, as he had a precept for a charter of the lands of Pitheveless, 1st April 1585. A precept for a charter of Holtoun of Luncarty was issued 19th July 1597, to Robert Stewart of Pethevells, and Jean Ross his wife. Jean Ross died 12th December 1599, her husband then alive, leaving six children, William, Andrew, Archibald, Janet, Agnes, and Helen, as appears from her testament dative. A charter of some lands in Ayrshire was granted by James, Lord Stewart of Ochiltree, 26th November 1620, to Mr Andrew Stewart, second legitimate son of Robert Stewart, uncle of the said noble lord.

Andrew, third Lord Ochiltree, and first Lord Castlestewart, died in January 1628, as appears from the retour of his grandson, Andrew, third Lord Castlestewart, whose death took place in 1649, his only child Mary being only one year old. Josias, fourth Lord Castlestewart, was buried in St Bride's Church, Dublin, 5th December 1662.

P. 328. Robert Stewart of Irry was high sheriff of the county of Tyrone; he died in April 1686. His daughter Catherine was married to Alexander Bruce of Culross, who made a settlement on her 2d July 1694. His son Andrew Stewart of Irry's marriage took place betwixt 31st December 1695 and 10th January 1696. His eldest son Robert Stewart's contract of marriage is

dated 18th April 1722. His only son, Andrew Thomas, Lord Castlestewart, presented a petition to the King, of this *tenor:*

That Andrew, third Lord Evandale of the kingdom of Scotland, having, in or about the year 1534, resigned that honour, title, and dignity into the hands of his Majesty, was soon after created Lord Stewart of Ochiltree; he died in 1548 or 1549.

That he was succeeded by his son Andrew, the second Lord Ochiltree, and he by his son Andrew the third Lord Ochiltree.

This Andrew, the third Lord Ochiltree, had two sons, videlicet, Andrew and James.

Andrew, called Master of Ochiltree, died in the lifetime of his father, leaving several children.

James, afterwards Sir James Stewart of Bothwellmuir, and Earl of Arran.

The said Andrew, third Lord Ochiltree, died about the year 1592, and was succeeded by his grandson, Andrew, son of the aforesaid Master of Ochiltree, who thereupon became fourth Lord Ochiltree.

That this Andrew, the fourth Lord Ochiltree, did, in the year 1615, resign his title and honour of Lord Ochiltree, and his whole estates in Scotland, into the hands of his Majesty King James VI., who immediately conferred both the honour and estate upon Sir James Stewart of Killeth, and his heirs male, which Sir James Stewart, of Killeth was first cousin of the aforesaid Andrew, fourth Lord Ochiltree, and son of the aforesaid Sir James Stewart of Bothwellmuir, who thereupon became Lord Ochiltree.

That King James VI. afterwards, videlicet, in 1619, by letters patent, created the aforesaid Andrew, (who had been the fourth Lord Ochiltree, and had resigned the same in manner above mentioned,) Lord Castlestewart of the kingdom of Ireland, and having likewise obtained the grant of very considerable estates in that country, he fixed his residence there, where his family have ever since remained; and your petitioner is the lineal male descendant of the said Andrew, who was the fourth Lord Ochiltree, and the first Lord Castlestewart, and he now enjoys the last mentioned of these honours and dignities.

That the aforesaid Sir James Stewart of Killeth, who was first cousin to the aforesaid Andrew, fourth Lord Ochiltree, and first Lord Castlestewart, and who, in 1615, was created Lord Ochiltree, with descent to his heirs male, enjoyed the said honour, title, and dignity, till his death, which happened in or about the year 1659, when he was succeeded by his grandson William, Lord Ochiltree, who died under the age of twenty-one years, and unmarried, in or about the year 1675, since which time the title and honour of Lord Ochiltree has been dormant.

That your petitioner, as the lineal male descendant of Andrew, the first Lord Castlestewart, who was first cousin to Sir James Stewart of Killeth, created Lord Ochiltree in 1615, with descent to his heirs male, is the nearest heir male to the aforesaid Sir James Stewart, Lord Ochiltree, and as such is entitled to possess and enjoy the said honour, title, and dignity.

Your petitioner therefore most humbly prays, that your Majesty will be graciously pleased to declare that the said honour, title, and dignity of Lord Ochiltree, of the kingdom of Scotland, belongs of right to your petitioner.

This petition was by his Majesty's command referred to the House of Peers, 13th April 1790, and it was on the 6th of June 1793, resolved and adjudged, that the petitioner had not made out his claim to the title, honour, and dignity of Lord Ochiltree. In prosecuting that claim, the following production was made from the records of the privy council of Scotland, of 8th June 1615:

The quhilk day the letter underwritten, signed by the *Kings Majestie*, and directit unto the lordis of his Majestie's previe counsell, and officiaris of his estate, was presentit unto the saidis lordis and oppynit and red in their audience, of the qlk letre the tenour followis; James R. Right trustie and well beloved cosine, and counsellour, and trustie and weil belovit counsellours, we greete you weele; Having ressavit a humble supplication from the Lord Uchiltree, and his sone, making mentioun, whair the said Lord being to retcir himself to live in Ireland, and desiring exceedinglie, that his place and estate in our kingdome of Scotland, may continew with the antient familie for benefeit and otheris regairds hes maid choise of Sir James Stewart of Killeith, knyt (he and his sone being as it were deade in that oure kingdome,) as nixt of the raice to succeid him, carnestlie intreating our favour thairanent. Whereupon considdering that na pairtye can justlie complene as onie wayes interest be this course; the said Sir James comeing in by a kind of successioune alsweele as by purchase, oute of that affectioun that we haif ever had, that all such houses, as haif deserved weele of us, or oure ancestoris, sould continew and floorishe. Oure pleasour is, after the said lord hath surrenderit in his favour, that you immediately accept the said Sir James in his place, inabilling him by als sufficient a warrant as can be geven in such thingis, that he may injoy all the honnouris, dignities, and privileges belonging to the lordship of Uchiltree, in als large and ampill manner as the said lord might have done befoir his demission, to continew with him and his posteritie, whereanent thir presents sall be a sufficient warrant unto you. So we bid you hairtelie fairweele. At our court at Grenewiche, the 27th of May 1615. Quhilk lettre being read, hard and considered by the said lordis, they haif ordainit and ordains Sir Gedeone Murray of Elibank, depute thesaurair, and the lordis commissioners of his Ma-

jesty's rents, to pas and expeid unto the said Sir James his infeftment and patent, according to the tenour of his Majestie's letire, notwithstanding any prohibitioun formarlie given, that no infeftments and patents conteining the dispositioun of honnouris, titles, and dignities, sould be past, unles the same wer signed be his Majestie's owne hand.

P. 329. *William*, the last Lord Ochiltree was son of Mary Livingstone, as appears from a precept of the Lords of the Treasury, 12th February, 1675, to pay to Lady Ochiltree 500 marks for defraying the charge and expence of the funeral of Lord Ochiltree her son, and the receipt of Dame Mary Livingstone, Lady Uchiltry, of the same date. Anna, daughter of Lord Ochiltree, was born 10th April 1653, not 1652.

Oliphant. P. 331. Lord Hailes, in his Annals of Scotland, after mentioning Elisabeth, daughter of King Robert I., married to Sir Walter Oliphant of Gask, adds, in a note: Crawford, Peerage, p. 72, is positive as to the existence of this Elisabeth; he says, I have seen a charter in the custody of Oliphant of Gask, bearing date on the 11th January 1364, whereby King David erects the lands of Gask into a barony, dilecto et fideli suo Waltero Olyfant, et Elisabethæ sponsæ suæ dilectæ sorori nostræ. In the MS. collections of Sir Alexander Seton, [Lord Pitmedden,] the charter is quoted as containing these words: Dilecto et fideli nostro Waltero Oliphant, pro bono servicio suo nobis impenso, et Elisabethæ sorori nostræ. Here the word dilectæ is omitted. Not having had any opportunity of inspecting this charter, I must still hesitate. The silence of Fordun and his continuator is remarkable; every one conversant with antient deeds, knows, that filius, filia, frater, are words which do not necessarily imply *legitimate* relation. To remove all doubts, the charter itself, if extant, ought to be deposited in the Register House. Annals, II. 148.

The Editor did not think it necessary to notice this objection in the preceding work, deeming Crawford's declaration, that he had seen the charter, sufficient authority to substantiate the marriage of Sir Walter Oliphant to Elisabeth, daughter of King Robert I. That charter was carried off from Gask in the time of the rebellion 1745-6, when the house was plundered, along with other papers, and was not recovered till after the publication of the Annals of Scotland. Upon its being shewn to Lord Hailes, he expressed himself, as the Editor is informed, entirely satisfied, from the tenor of the charter, that Elisabeth, the wife of Sir Walter Oliphant, was the legitimate daughter of King Robert I. He promised to state the same should another edition of his Annals be published; and to compensate in some degree for the doubts he had thrown out, advised that the charter, with an account of its loss and recovery, should be inserted in the Scots Magazine. This was not done; but the charter was recorded in the books of Council and Session, 5th May 1795, and the Editor has been favoured with the following copy of it, by order of Lawrence Oliphant of Gask, the lineal male descendant of Sir Walter Oliphant and Elisabeth daughter of King Robert Bruce.

David Dei gratia Rex Scotorum, omnibus probis hominibus totius terre sue clericis et laicis, salutem: Sciatis quod cum dilectus et fidelis noster Walterus Olyfaunt, in pleno consilio nostro tento apud Perth undecimo die Januarii anno gratie millesimo CCC. sexagesimo quarto, in presentia plurium prelatorum et procerum, ac aliorum fidelium nostrorum ibidem congregatorum, personaliter constitutus, non vi aut metu ductus nec errore lapsus, sed mera et spontanea voluntate sua, inter ceteras terras quas de nobis tennuit in capite, ibidem nobis resignatas et sursum redditas, terras de Gask cum pertinentiis, infra Vicecomitatum de Perth, per fustum et baculum nobis sursum reddiderit simpliciterque resignavit atque pure, dedimus concessimus et hac presenti carta nostra confirmavimus predicto Waltero dilecto et fideli nostro, pro bono servitio suo nobis impenso, et Elizabeth sponse sue dilecte sorori nostre, totas predictas terras de Gask cum pertinentiis, tenend. et habend. dictis Waltero et Elizabeth sponse sue, et eorum alteri diutius viventi, ac heredibus inter ipsos procreatis seu procreandis, et suis assignatis, ipsorum videlicet liberis masculis seu femellis, quibus forsan deficientibus, veris et legitimis heredibus predicti Walteri quibuscunque et suis assignatis, in unam integram et liberam baroniam, de nobis et heredibus nostris, in feodo et hereditate, per omnes rectas metas et divisas suas, libere quiete plenarie integre et honorifice, in boscis et planis viis et semitis moris et vivariis, pratis pascuis et pasturis, cum furca et fossa tholl et theam et infangandthef, cum tenandiis et servitiis libere tenentium, cum bondis bondagiis nativis et eorum sequelis, cum molendinis et multuris, cum fabricis et bracinis et aliis officiis quibuscunque, cum aucupationibus venationibus et piscationibus, et cum speciali libertate piscandi aquam de Erne tribus diebus in septimana tempore prohibito de jure et consuetudine regni nostri, et cum omnibus aliis libertatibus commoditatibus aysiamentis et justis pertinentiis quibuscunque, tam sub terra quam supra terram, tam procul quam prope, tam non nominatis quam nominatis, ad dictas terras de Gask spectantibus, seu quoque modo juste spectare valentibus in futurum, sine aliqua revocatione vel retinemento quocunque: Reddendo inde nobis et heredibus nostris, dictus Walterus et Elizabeth sponsa sua et eorum diutius vivens, et heredes sui vel assignati prenotati, annuatim ad maneries um de Gask unum capellum albarum rosarum ad festum nativitatis beati Johannis Baptiste nomine albe firme, si petatur, et faciendo tres sectas curie

ad tria placita nostra capitalia annuatim tenend. apud Perth, pro warda relevio maritagio et omnibus aliis et singulis servitiis secularibus consuetudinibus exactionibus et demandis, per que nos heredes nostros aut successores de predictis terris de Gask cum pertinentiis aliquo modo exegi poterint vel requiri: In cujus rei testimonium presenti carte nostre sigillum nostrum precepimus apponi, Testibus ven. in Christo patribus Willielmo Episcopo Sancti Andree, et Patricio Episcopo Brechin cancellario nostro, Roberto Senescallo Scotie Comite de Stratherne nepote nostro, Willielmo Comite de Douglas, Roberto de Erskyne, Archibaldo de Douglas, et Waltero de Halyburton, militibus, apud Edinburgh, ultimo die mensis Februarii, anno regni nostri tricessimo quinto.

Panmure. P. 356. The Hon. William Maule of Panmure, was rechosen for the county of Forfar, at the general election 1812.

Perth. P. 364. James, fourth Earl of Perth, was in his 68th, not 58th, year when he died 1716. P. 366. James Drummond, to whom the estate of Perth was adjudged, presented to the King a petition, referred by his Majesty's command to the House of Lords, 12th June 1792, of this tenor:

That, in the year 1487, Sir John Drummond of Drummond was, by King James III. of Scotland, created a Peer of Parliament, by the title of Lord Drummond, and sat in the Parliament of Scotland, under that title.

Upon 4th March 1605, James, the fourth Lord Drummond, heir male of the above Sir John, was, by King James VI. of Scotland, created Earl of Perth, Lord Drummond and Stobhall, and in consequence of this creation, his lordship and his descendants, [qu.] sat and voted in the Scots Parliament by those titles.

This Earl died 16th November 1611, leaving an only child, Lady Jean Drummond, who intermarried with the Earl of Sutherland, and on his lordship's death the destination of the honours and estate being to heirs male, he was succeeded by his only brother, John, who became second Earl of Perth, and sat in Parliament accordingly.

On the death of this Earl, he was succeeded by his eldest son, James, who became third Earl.

James, the third Earl, died in the year 1675, and was succeeded by his eldest son James, who became the fourth Earl, and was afterwards Lord Justice-General, and High Chancellor of Scotland.

This Earl, on the 7th December 1687, obtained from King James II. a patent under the great seal conferring upon him the title of Earl of Perth, Lord Drummond, Stobhall, and Montefex, to him and his eldest son, and his heirs male, whom failing, to the other issue male of his body; whom failing, to John, his brother-german, and his heirs male; whom all failing, to the heirs male of John, second Earl of Perth.

James, Lord Drummond, the said Chancellor's eldest son, was in the lifetime of his father attainted of high treason, for his accession to the unnatural rebellion that then took place; and the other sons of the chancellor all died without issue.

James, Lord Drummond, who was attainted as above-mentioned, left two sons, James, and John, both of whom were unhappily engaged in the rebellion in 1745, and were named in the act of attainder of the 19th George II. whereby it was enacted, that if they and the other persons therein named, should not surrender themselves before 12th July 1746, they should stand attainted of high treason.

James, the eldest of these brothers, died 11th May 1746, and was therefore not attainted under the said act; but John, the younger brother, having lived till the year following, fell under the attainder.

The issue male of James, the fourth Earl, being thus extinguished, the succession opened to the heirs male of his brother, John, second son of James, the third Earl.

This John, who had two sons, James and Robert, by his first wife Sophia Lundin, heiress of Lundin of Lundin, was, by King James II., created Earl of Melfort, to him and the heirs of a second marriage, to the exclusion of the said James and Robert, the sons of the first, and consequently his natural heirs.

The Earl of Melfort was, *in 1695*, attainted of high treason by an act of the parliament of Scotland; but the act, on a recital that the family of Lundin had deserved well of his Majesty and government, specially provided that the forfeiture should not affect, incapacitate, or taint the blood of the children procreated betwixt the Earl and the heiress of Lundin.

James Lundin, the eldest son of the Earl of Melfort by the heiress of Lundin, died without issue, and was succeeded by his brother Robert.

Robert had two sons, John and James; John, the elder brother, died without issue, and was succeeded in the estate of Lundin by James his brother, of whom the petitioner is the only son and heir.

The petitioner, as the great great grandson, and nearest and lawful heir male of John, Earl of Melfort, brother-german of James, the fourth Earl of Perth, and who was a remainder man in the patent 1687, apprehends that the title, honour, and dignity of Earl of Perth, Lord Drummond, and Stobhall, granted by the patent 1605, and also the title, honour, and dignity of Earl of Perth, Lord Drummond, Stobhall, and Montefex, granted by the patent 1687, have of right devolved upon the petitioner, and that they ought to be declared to belong to him and his heirs male.

May it therefore please your Majesty to take

the above petition into your royal consideration, and to declare and establish the right to the said titles, honours, and dignities of Earl of Perth, Lord Drummond, Stobhall, and Montefex, to belong to the petitioner and his heirs male.

No decision appears to have been come to on this petition.

Preston. P. 374. col. 2. line 35, for 1682 read 1782.

Queensberry. P. 389. In consequence of James, the second Marquis of Queensberry, having also been Duke of Queensberry, and having stood at the period of the union in the roll of the Peers of Scotland by his higher title of Duke, the then subordinate title of Marquis of Queensberry does not appear in the said roll. Sir Charles Douglas succeeding in 1810 as Marquis of Queensberry, presented a petition to the King, *praying that his Majesty would be graciously pleased* to give the proper directions for enrolling him in his due place among the Peers of Scotland, and that he might enjoy the titles, honours, and dignities of Marquis and Earl of Queensberry, Viscount of Drumlanrig, Lord Douglas of Hawick and Tibberis. This petition having been referred to the House of Lords, there was in 1812 laid before their Lordships, the Case of Charles, Marquis and Earl of Queensberry, Viscount Drumlanrig, Lord Douglas of Hawick and Tibberis, formerly Sir Charles Douglas of Kelhead, baronet, claiming to be enrolled in his due place among the Peers of Scotland, and to have his right to the above titles, honours, and dignities recognized and established. Their Lordships came to the following decision: 9th July 1812; Upon report from the Lords' Committees for privileges, to whom it was referred, to consider of the petition of Charles, Marquis and Earl of Queensberry, Viscount of Drumlanrig, and Lord Douglas of Hawick and Tibberis, to his Majesty, claiming to be inrolled in his due place among the Peers of Scotland, and that he might enjoy the said titles, honours, and dignities, together with the Prince Regent's reference thereof to this House, it is resolved and adjudged by the Lords Spiritual and Temporal, in parliament assembled, that the petitioner hath made good his claim to the titles, dignities, and honours of Marquis of Queensberry, Earl of Queensberry, Viscount of Drumlanrig, and Lord Douglas of Hawick and Tibberis, and that he ought to be inrolled in his place as such upon the roll of the Peers of Scotland.

From this Case it appears, that the Hon. James Douglas, second son of James, second Earl of Queensberry, acquired the lands of Skirling, as is proved by an instrument of seisin proceeding upon a charter under the great seal, dated 14th November 1684. He settled the estate of Skirling on his children James, William, and Margaret, and the heirs of their bodies respectively, by deed of nomination of 31st March 1690. James died without issue, as Captain William Douglas was served heir of James Douglas of Skirling his Brother, 10th May 1709, and Captain William Douglas died without issue before 24th July 1718, when Margaret Douglas his sister was served heir of tailzie of lieutenant-general James Douglas her father, in the lands of Skirling.

The Hon. John Douglas, third son of James, second Earl of Queensberry, had the lands of Craigmuie, in the parish of Balmaclellan and stewartry of Kirkcudbright, settled on him by his brother William, the third Earl, with a clause of return to the Earl and his heirs male, failing heirs male of John's body, 18th September 1671. By testamentary disposition, dated at Treves, 8th August 1675, (correcting the erroneous date of 1673 at page 379) he assigned the lands of Craigmuie to his brother James, who had a decreet of the Lords of Council and Session of the same in his favour, 1st December 1677.

The Hon. Captain Robert Douglas, fourth son of James, second Earl of Queensberry, granted a factory to Hew Wallace, W. S. to manage his affairs in his absence, 22d March 1675; his testamentary disposition is dated at Sancta Catharina Vadua, 2d June 1675.

William, second Earl of March, was served heir of William, Earl of March, his father, 17th April 1707. William, third Earl of March, was served heir of John Douglas of Broughton his uncle, 26th December 1738, and heir of line, tailzie, and provision of James Douglas of Stow his uncle, 8th July 1749.

P. 389. Henry Alexander Douglas, brother of the Marquis of Queensberry, was married, 31st August 1812, to Elisabeth, youngest daughter of the late Robert Dalzell of Glenae. William Robert Keith Douglas, brother of the Marquis of Queensberry, was chosen Member of Parliament for the boroughs of Dumfries, &c. at the general election 1812.

Rosebery. P. 410. The Viscountess of Primrose was delivered of a daughter in Portman Square, London, 23d April 1812.

Ross. P. 420. William Charles Little Gilmour of Craigmiller was in his 56th not 66th year at his death in 1796.

Rothes. P. 430. col. 2. line 6, *for* of *read* and.

Roxburghe. P. 449. Hary Lord Ker's contract of marriage with Lady Margaret Hay was dated 22d January and 3d February 1638. Of their daughters, Jean died before 7th October 1675; Anne died before 17th July 1680; Mar-

garet died before 25th February 1691; and Sophia died recently before the latter date. P. 450. Robert, fourth Earl of Roxburghe, died 13th July (not June) 1696.

Seaforth. P. 486. The Hon. William Frederick Mackenzie, born 21st July 1791, was elected member of parliament for the county of Ross at the general election 1812.

Selkirk. P. 491. col. 2. line 7, for Dunbar read Thomas.

Sinclair. P. 503. The Hon. Elisabeth St Clair died at Chudleigh in Devonshire, 30th September 1812.

Strathallan. P. 554. James Drummond, Esq. was rechosen for the county of Perth at the general election 1812.

Sutherland. P. 587. The Right Hon. George Granville, Earl Gower, was chosen member of parliament for Newcastle under Lyme, at the general election 1812.

Torphichen. P. 592. James Sandilands of Cruvie was, according to Crawford, Peerage, p. 478, son of Margaret Ker, the second wife of Sir James Sandilands of Calder, not of Margaret Kinloth the first wife.

Tullibardine. P. 601. col. 1. line 35, for 1629 read 1628.

Tweeddale. P. 610. col. 2. line 20, for Lady Anne Maitland read Lady Mary Maitland.

Wemyss. P. 625. Lieutenant-General William Wemyss of Wemyss was rechosen for the county of Fife at the general election 1812. Lady Helen Dalrymple died at Edinburgh, 1st October 1812, æta. 83. P. 627. col. 2. line 8, for Earl of Wemyss read Earl of March.

Wintoun. P. 642. col. 2, last line, for antem read autem. P. 643. col. 1. line 6, for consanguines read consanguineos; line 7, for exciri read exoriri.

Borthwick. P. 651. A charter of Robert, Duke of Albany, dated 2d October 1409, is witnessed by William Borthwe de Catkone, knight; and another charter of the same, dated 2d May 1413, is witnessed, Willmo de Borthwe, milite, Willmo de Borthwe, filio. Reg. Mag. Sig. 241, 254.

ADDITIONS AND CORRECTIONS OMITTED ABOVE.

Douglas. Vol. I. p. 426. A letter to the Honourable Sir David Dalrymple, Lord Hailes, on his remarks on the History of Scotland, published anonymously in 1773, but known to be written by Patrick, Lord Elibank, impugns the proposition of the learned judge, that Archibald, third Earl of Douglas, was not the brother of James, the second Earl of Douglas, and that he did not succeed to the earldom in right of blood, in the following terms:

"Your Lordship brings an imputation of bas-
"tardy against the most illustrious branch of the
"family of Douglas. I confess that, in all the
"evidences you bring to support it, I cannot per-
"ceive a single argument to justify this singular
"opinion.

"You quote Froissart; but Froissart says no-
"thing to favour your system. On the contrary,
"the passage you quote makes it evident that the
"Archibald Lord of Galloway he speaks of, could
"not possibly succeed to the Earldom of Douglas.

"You quote Bowmaker; but nothing can be
"more repugnant to Bowmaker's expression and
"sentiments. Little did the poor man suspect
"when he was liberally adorning one Archibald
"Douglas with the accumulated trappings of three
"of the same name, that he was exposing him to
"an imputation of bastardy.

"You make use of Froissart, to prove this sin-
"gular anecdote from Bowmaker; and from Bow-
"maker, to prove it from Froissart; though nei-
"ther the one nor the other had any suspicion of
"it themselves.

"It must be acknowledged, this method of proof
"has something particularly ingenious in it. But,
"admitting it as good logic, and that this mean-
"ing can be squeezed out of Bowmaker, you
"found the whole charge on the single passage in

" that writer, quoted by you. The question then " is, whether Bowmaker's unsupported authority " is of weight to establish so improbable an event, " as that the brother of Earl James, and all the " descendants of that noble family, did tamely " submit to give up their honours and inheritance " to a bastard; and all this without a single " complaint, murmur, or reproach, amidst the " various warm contests that soon took place among " the different branches of the family, and in op- " position too (as you allow) to the unanimous as- " sertion of all the genealogical writers of this " country?

" Bowmaker was a monk, mewed up in his " convent; and was so extremely ill-informed, as " to be ignorant of the most public occurrences of " the families of the very Kings under whom he liv- " ed, and had his education. It is Bowmaker " who makes Robert II. marry Elisabeth Muir 30 " years after her death; and bastardizes Robert " III., under whom he passed great part of his " life, in defiance of the most solemn and public " declarations of the legislature.

" Hume of Godscroft warns us against this er- " ror of Bowmaker; he tells us there were three " Archibald Douglasses, often confounded by his- " torians; that Archibald, called the Grim, suc- " ceeded to his brother, James of Otterburn, in " the year 1388, and had the year before suc- " ceeded to Archibald, Lord of Galloway, who " died anno 1387. The epithet of Grim is con- " stantly applied to Archibald, third Earl of " Douglas, and never was applied to Archibald, " first Lord of Galloway.

" Personal descriptive epithets were, and still " are employed, to distinguish men of the same " name. If we are to suppose the first Lord of " Galloway, and Archibald, who succeeded James " of Otterburn, the same person, why is he uni- " versally known by the epithet of Grim when " Earl of Douglas, and never once called so " during thirty two years that we hear of him, " from the battle of Poictiers to his succession " after Otterburn?

" Froissart, it is true, did not know that Earl " James had a brother; but it is past a doubt, " that George, Earl of Angus, was his brother. " Since Froissart's ignorance of George is confes- " sed, it would be more than begging the ques- " tion to deny the existence of Archibald, because " Froissart was not acquainted with it.

" Contemptible as the authority of Bowmaker " is, he seems to me guiltless of the blunder as- " cribed to him. It is probable the words which " have given occasion to this confusion about the " three Archibald Douglasses, (viz. qui postea " fuit Dominus Galweiae et Comes de Douglas) " have been added by a transcriber. What con- " firms me in this opinion is,

" 1. They are superfluous, and even impertinent " in that place.

" 2. They are evidently in the stile and form of " a note; and, in one of the MS. copies, there " is a further avowed interpolation, viz. hic Ar- " chibaldus dicebatur Grym.

" 3. It would have been even below Bowmaker " to give this abridgement of Archibald's future " history, anno 1356, and to have said nothing " relative to it, in summing up his character with " so much pomp, anno 1400.

" 4. It is impossible that the character given by " Froissart of Archibald, Lord of Galloway, and " that of Fordun, can belong to the same man.

" Fordun's man was brave indeed, but splen- " did; a man of business, and religious.

" Froissart's, a strong, warlike chevalier, deal- " ing deadly blows with an instrument no two men " could wield; the terror of the English.

" You demand where, and on what occasion, " did he distinguish himself by his fortitudo et au- " dacia? I answer, that the most daring attempt " ever subject succeeded in, was his forcing his " own daughter upon the heir of the crown, after " she was betrothed to the Earl of March, and her " fortune paid down. If we can suppose Archi- " bald, first Lord of Galloway, and Archibald " the Grim, the same person, he must have been " much above seventy when Buchanan bewails his " death as premature. His father, good Sir James, " died anno 1330."

By these observations Lord Hailes appears to have been staggered, as in his Annals of Scotland, published in 1776, mentioning James, the son of Sir John Douglas, afterwards known by the name of the Lord of Dalkeith, he adds, " I have some " reason to suspect that Froissart mistook him " for the Earl of Douglas; if so, the confident " assertion of that writer, who pretended to have " been personally acquainted with the Earl of " Douglas, has led me into an error." Annals, II. 249. Pinkerton thus expresses himself on the subject: " Froissart was at Dalkeith in his youth " about 1360, and no other visit of his to Scotland " is known. It is not, therefore, wonderful that " when he wrote his history in 1400, his memory " made some slips, particularly the strange one " concerning the house of Douglas, which misled " Lord Hailes. Froissart confounds the Earls of " Douglas with the Douglasses, Lords of Dal- " keith." History of Scotland, I. 148.

Godscroft thus distinguishes three Archibald Douglasses. " The first is Archibald, brother to " William the first Earl, who was Lord of Gal- " loway then, when his brother lived, and who " was father to the Lord Nithisdale. The second " Archibald was son natural to Good Sir James, " slain in Spain, who was made captain of the " castle of Edinburgh when it was taken by his

" brother, the Lord of Liddisdale, who was wrong-
" fully named William in our chronicles, instead
" of Archibald. He was at the battle of Poictiers,
" and is reported to have married in France, and
" remained there till his death. The third is
" Archibald the Grim" [third Earl of Douglas, brother of James, slain at Otterburn.] " Our
" writers, through inadvertency, do divers times
" confound these three, taking one of them for
" another. As when they say Archibald, Lord
" of Galloway, son to Sir James, slain in Spain,
" was taken at Poictiers, it is a manifest error.
" For if he were Lord of Galloway, he was not
" son to Sir James; if he was son to Sir James,
" then was he not Lord of Galloway; for Gallo-
" way did never belong to Sir James, but to his
" brother Archibald, slain at Halidonhill, who
" obtained it by marrying the heiress of Galloway,
" and gave it to his second son Archibald." History of the House of Douglas and Angus, I. 199.

In contradiction to these objections, and in support of the proposition of Lord *Hailes*, adopted *in* this work, the following arguments are offered:

The charters in the Great Seal register, from 10th November 1357, to the last of King Robert III. on record, are very frequently witnessed by Archibald de Douglas knight, Archibald de Douglas knight lord of Galloway, and Archibald Earl of Douglas lord of Galloway; and they never once occur together. Archibald de Douglas, knight, is nowhere described as son or brother of William, Earl of Douglas, nor is any distinctive appellation given to him, till after the grant of Galloway in 1368, where he is sometimes denominated Archibald de Douglas, knight, Lord of Galloway, but oftener Archibald de Douglas, knight. The legitimate inferences are, that only one Archibald de Douglas was known at the Scotish court, *from 1357 to the end of the fourteenth century*, and that Archibald de Douglas, knight, Archibald, Lord of Galloway, and Archibald, Earl of Douglas, were one and the same person.

That Archibald de Douglas, knight, who got, in 1368, from King David II., the noble grant of the lordship of Galloway, pro suo diligenti labore et grato servicio nobis efficaciter et affectuose impensis, (not by descent as alleged by Godscroft,) was son of the good Sir James, is clear from the charter confirmed 2d June 1372. (Vol. I. p. 425.)

It is agreed on all hands, that the wife of Archibald, third Earl of Douglas, and Lord of Galloway, was *Johanna, only child and heiress of Thomas* de Moravia, Lord of Bothwell. It has been proved, (Vol. I. p. 426,) that this marriage of Johanna de Moravia, to Archibald de Douglas, knight, must have taken place before 31st March 1371, and that he had been previously engaged in important negotiations in France and other foreign countries for King David II. Of course he could not be the younger brother of James, second Earl of Douglas, who came of age only about that period. [Here the Editor has to correct a mistake in the notes on Wyntoun, II. 499, inadvertently adopted into this work, that, on occasion of this marriage, Archibald de Douglas assumed the three stars, the cognizance of the Morays, into his arms, which previously were argent, a chief, azure. It appears from Astle's collection of Scotish seals, published by the Society of Antiquaries, that William, first Earl of Douglas, both before and after his creation, and Archibald Douglas, Lord of Galloway, afterwards third Earl of Douglas, bore three stars on a chief, and a heart. In that publication it is mentioned, that Archibald, third Earl of Douglas, on his marriage with the heiress of Moray of Bothwell, added to his armorial bearing, azure, three stars, within a double tressure, Or. Sir James Douglas of Dalkeith bore stars, or mullets, on a chief, in 1371. Vol. II. p. 265.]

Godscroft asserts, that Archibald, first Lord of Galloway, brother of William, first Earl of Douglas, died in 1387, and was succeeded in that lordship by his nephew, Archibald the Grim, son of William. But it is quite incredible that if Archibald, Lord of Galloway, died without lawful issue in 1387, he would not have left that lordship, the grant of which was to him and his heirs, (not to him and his legitimate heirs,) to his gallant natural son, William de Douglas, Lord of Nithisdale, who at that time had the honour of being son-in-law of the then sovereign, Robert II.

Froissart expressly declares, that he remained a full fortnight at the seat of William, Earl of Douglas, en un chastel cinq lieues de Haindcburgh, qu on dit au pays Alquest. This Lord Hailes translates, in a castle five miles from Edinburgh, called in that country Dalkeith. The proper translation of cinq lieues is five leagues or fifteen *miles*; but admitting that Dalkeith was the place meant, it is proved by a charter quoted Vol. II. p. 265, that William, Earl of Douglas, had right to some lands in the barony of Dalkeith; and he probably resided at the castle of that place, during the nonage of Mary de Douglas, to whom the barony belonged at the period of Froissart's visit to Scotland, and who appears to have died in minority.

Froissart says, that he there saw Earl James, a boy, a pretty young gentleman, and a fair damsel his only sister; and affirms, that Earl William had but these two children. The argument founded by Lord Elibank, on Froissart's ignorance of George, Earl of Angus, the undoubted brother of Earl James, falls to the ground, when it is considered that George, who was nearly thirty years younger than Earl James, was not born at the earliest till 1379, several years subsequent to the death of David II. in whose reign Froissart visited Scotland.

According to Lord Elibank, Buchanan bewails

the death of Archibald, third Earl of Douglas, as premature; but the historian merely observes, that the Earl died at a very disadvantageous time for his country, alienissimo patriæ tempore. Hist. Scot. L. X. s. 6.

Holinshed notices, that, on the death of Earl James, his *cousin*, Archibald Douglas, Lord of Galloway, succeeded him in the earldom. Chronicles 364.

The Editor hopes that these arguments may be deemed conclusive of the question; and has only to observe, that it appears that Archibald, Lord of Galloway, did not assume the title of Earl of Douglas for some months after the death of Earl James, [19th August 1388,] a royal charter of 28th February 1388-9, being witnessed by Archibald de Douglas, knight, Lord of Galloway. Reg. Mag. Sig. 171. Archibald, Earl of Douglas, Lord of Galloway, first occurs as witness to a royal charter of 8th January 1389-90. Ibid 177.

The inscription on the monument at Douglas, referred to Vol. I. p. 429, printed in Godscroft, I. 295, is of this tenor:

Hic jacet magnus et potens Princeps, Dominus Jacobus de Douglas, Comes de Douglas, Dominus Annandiæ et Gallovidiæ, Liddaliæ, et Jedburgh forestæ, et dominus de Balvenia, magnus wardanus, regni Scotiæ versus Angliam, &c. qui obiit vicesimo quarto die mensis Martii, anno Domini millesimo quadringentesimo quadragesimo tertii.

Hic jacet Domina Beatrix de Sinclair, filia Domini Henrici, Comitis Orcadum, Domini de Sinclair, Comitissa de Douglas, et Avenia, Domina Gallovidiæ.

Hæ sunt proles inter prædictos dominum et dominam generatæ. 1. Dominus Gulielmus primogenitus et hæres prædicti Domini Jacobi, qui successit ad totam hæreditatem prædictam. 2. Jacobus secundo genitus, Magister de Douglas. 3. Archibaldus tertio genitus, Comes Moraviæ. 4. Hugo, quarto genitus, Comes Ormondiæ. 5. Johannes, quinto genitus, Dominus Balveniæ. 6. Henricus sexto genitus. Margareta uxor Domini de Dalkeith; Beatrix uxor domini de Aubignia; Joneta uxor Domini de Biggar et Cumbernauld; Elisabetha de Douglas, quarta filia erat.

The copy of this inscription in the Statistical Account, VIII. 83, runs thus; Dominus Jacobus de Douglas, Dux Tourceniæ, et Comes de Douglas; and bears, that his second daughter was Beatrix, uxor Domini Joannis, Constabularii Scotiæ.

According to D. Stewart, this James, seventh Earl of Douglas, was also married to Lady Beatrix Stewart, daughter of the Regent, Robert, Duke of Albany. In corroboration, it is to be observed that, in a commission by Murdac, Duke of Albany, he is designed Jacobus de Douglas de Balbani, frater noster. Fœdera, X. 298.

Lennox. II. 109. Edmonson, in his system of Heraldry, thus blazons the supporters of the arms of Lennox, Duke of Richmond and Lennox. Dexter, an unicorn, argent, armed, maned, and hoofed, Or; sinister, an antelope, argent, armed, and hoofed, Or; each supporter gorged with a collar, compone, as the bordure in the arms. The engraving of the arms of his Grace in this work is in conformity thereto.

Napier. II. 304. The chief seat of Lord Napier is Thirlestane Castle, in the county of Selkirk.

ROTHSAY.

ABERCORN.

ABERDEEN.

ABOYNE.

AIRLY.

B. ALCARRAS.

BELHAVEN.

BLANTYRE.

BORTHWICK.

BREADALBANE.

BUCCLEUCH.

BUCHAN.

BITTE.

CAITHNESS.

CASSILLIS

CATHCART.

COLVILL.

CRANSTOUN.

CRAWFORD.

DALHOUSIE.

DUMFRIES.

DUNBAR.

DUNBLANE.

DUNDONALD.

DUNMORE.

DYSART.

EGLINTOUN.

ELGIN.

ELIBANK.

ELPHINSTON.

ERROL.

FAIRFAX.

FALKLAND.

FINDLATER.

FORBES.

HADDINGTON.

HAMILTON.

HOME.

HOPETOUN.

HYNDFORD.

KELLIE.

Engd by T Clerk Edinr

KENMURE.

KINNAIRD.

KINNOUL.

KINTORE.

KIRKCUDBRIGHT.

LAUDERDALE.

LENNOX.

LEVEN.

LINDORES.

LINLITHGOW.

LOTHIAN.

LOUDOUN.

Engd by J. Clark Edinr

LOVAT

MARCHMONT.

MARR.

MONTROSE.

MORAY.

MORTON.

NAPIER.

NEWBURGH.

NORTHESK.

ORKNEY.

PITSLIGO.

PORTMORE.

QUEENSBERRY.

REAY.

ROLLO.

ROSEBERY.

ROTHES.

ROXBURGHE.

RUTHVEN.

SALTON.

SEAFORTH.

SELKIRK.

SEMPILL.

SINCLAIR.

SOMERVILLE.

SOUTHESK.

STAIR.

STORMONT.

STRATHMORE.

SUTHERLAND.

Engd by C. Clark Edinr

TORPHICHEN.

TRAQUAIR.

TWEEDDALE.

WEMYSS.

BUCCLEUCH & QUEENSBERRY.

Engd by T. Clerk Edinr.

INDEX

TO THE

NAMES AND TITLES OF

PEERS,

AND

FAMILIES CONNECTED WITH THEM BY INTERMARRIAGE.

ABERCORN, Earl of, 35, 101, 495
Abercorn, Marquis of, 277
Abercromby of Abercromby, 351
Abercromby of Fetternier, 495
Abercrombie, Lord, 514
Aberdeen of Cairnbulg, 516. 524
Aberdeen, Earl of, 117, 299, 477
Abernethy of Abernethy, 424
Abernethy, Lord, 368
ABERNETHY, LORD ABERNETHY OF SALTON, 466
Abernethy, Lord of Salton, 475, 605, 618
Abernethy of Salton, 259
Aboyne, Countess of, 42
Aboyne, Earl of, 42, 43, 261, 277, 566
Accarson of Glenshireburn, 25
Adair of Kenhilt, 26
Adamson of Bonally, 285
Adamson of Craigcrook, 113
Adderly of Halstow, 276
Agnew, Ann, 328
Agnew, Miss, 421
Agnew, Patrick, 26
Agnew of Salquharry, 25
Ainslie of Dolphinstoun, 442
Ainslie of Pilton, 262
Air, John, 114
Airds, Viscount, 60, 320
Airly, Earl of, 56, 122, 566
Airth of Airth, 359
Alexander of Ballochmyle, 388
ALEXANDER, EARL OF STIRLING, 535
Alexander of Gogar, 538
Alexander of Hatton, 655
Alexander of Menstrie, 6, 273, 538
Albany, Duke of, 85. 188, 209, 227, 339, 362, 414, 468, 632
Albemarle, Duke of, 221
Albemarle, Earl of, 105
Allan, Thomas, 516
Allen, Elisabeth, 370
Allardice of Allardice, 192
Ancaster, Duke of, 373
Ancrum, Earl of, 131
Anderson, Capt. James, 29
Anglesea, Earl of, 372
Angus, Countess of, 517
Angus, Earl of 32, 40, 97, 101, 110, 127. 164, 175, 200, 201, 213, 229, 237, 238, 269, 273, 274, 317, 334, 337, 361, 377, 429, 518, 563, 505, 582, 604, 605, 622
Angus, Master of, 175, 361, 377, 563, 605
Ankerville, Lord, 395
Annandale, Earl of, 515, 541, 548
Anstruther, Alexander, 121
Anstruther of Anstruther, 183, 273, 274, 306, 592
Anstruther of Anstrutherfield, 600
Anstruther of Balcaskie, 19, 502, 609
Anstruther, Col. John, 502
Anstruther, Gen. Robert, 76
Antrim, Earl of, 581
Antrim, Marquis of, 142
Apsley of Lewis, 524
Arbuthnott of Arbuthnott, 55, 158, 188, 189, 191, 193, 194, 248, 267, 352, 513
Arbuthnott, Robert, 217
Arbuthnott, Viscount of, 158, 194, 515, 516, 582
Arbuthnott, Viscountess of, 584
Ardmagh, Dean of, 406
Ardnamurchan, John of, 12
Argyll, Bishop of, 222
Argyll, Duke of, 107, 139, 301, 408
Argyll, Earl of, 1, 11, 27, 72, 96, 131, 140, 161, 192, 211, 228, 229, 254, 256, 258, 259, 260, 274, 306, 333, 361, 398, 479, 482, 507, 577, 643
Argyll, Marquis of, 138, 275
Arnot of Arnot, 493 619
Arnot of Pittollie, 542
Arran, Earl of, 99, 102, 145, 157, 230, 270, 326, 361
Arran, Lord of, 187, 209
Arundel, Earl of, 101, 558
Arundel, Hon. James Everard, 410
Arundel, Lord, of Wardour, 410
Ashburnham, Earl of, 246
Asloune, Laird of, 368
Assint, Laird of, 390
Aston, Col. Henry Harvey, 4
Aston, Sir Roger, 327
Athens, Titular Archbishop of, 578
Atherley, Arthur, 143
Athol, Duke of, 52, 399, 421, 501, 554
Athol, Earl of, 97, 99, 157, 211, 229, 239, 327, 340, 353, 466, 470, 479, 480, 576, 602, 634
Athol, Marquis of, 158, 280
Avenel, Roger, 233
Aubigny, Lord, 308
Auchinleck of Auchinleck, 110, 145, 272, 418
Auchmoutie, Alexander, 289
Auchmoutie of Auchmoutie, 621
Auchterlony of Kelly, 351, 352
Auriol, Miss Amelia, 51
Auriol, Peter, 50
Austin, Dr Adam, 497
Ayton of Ayton, 621
Ayton of Dunmore, 620
Ayton of Inchdairnie, 399, 400

Bagot, Lord, 49, 553
Baillie, Elisabeth, 422
Baillie, James, 393,
Baillie of Jerviswood, 37, 181
Baillie, Janet, 24
Baillie of Johnskirk, 178
Baillie of Lamington, 177, 273, 317, 422, 507, 574
Baillie of Lochend, 514
Baillie of Polkemmet, 585
Baird of Auchmedden, 47, 475
Baird of Newbyth, 78, 502, 503, 526, 607
Baird of Posso, 505
Balcanqual of Balcanqual, 542
Balcarres, Earl of, 19, 40, 149, 323, 450, 476, 482, 524, 637
Balderston, William, 421
Balfour of Burleigh, 115, 273
Balfour of Grange, 121
Balfour, Lord, 622
Balfour, Lord of Burleigh, 464
Balfour, Isabel, 644
Balfour of Montquhanie, 427, 620
Balfour of Pitcullo, 260
Balgony, Lord, 114, 323, 431, 622
Baliol, Henry de, 349
Ballegarno, Heiress of, 364
Balmain, James, 29
Balmerinoch, Lord, 134, 149, 260, 323
Balquhalie, Laird of, 368

Balsac, William de, 99
Balvaird, Lord, 260, 515, 542
Banaster of Pappenham, 103
Banff, Lord, 56, 194
Bannatyne of Corhouse, 509
Bannatyne of Newhall, 509
Bannerman of Elsick, 14, 298
Bannerman of Kirkhill, 58
Bannister, Miss, 63
Barclay of Arngosk and Kippo, 539
Barclay of Brechin, 351, 631
Barclay of Cullairnie, 122, 620
Barclay, Johanna, 209
Barclay, Miss, 21
Barclay of Towie, 73, 362
Barclay of Ury, 187, 579
Barclay, Walter de, 639
Barnham, Benedict, 18
Bargeny, Lord, 394, 405, 524, 552
Bargeny, Master of, 394, 524
Barnwell, Miss, 49
Bartoun of Over Barntoun, 593
Bath, Earl of, 587
Bathurst, Earl, 108
Bateman, Coltharst, 74
Bayne of Tulloch, 157
Baynton of Spyepark, 510
Beauclerk, Hon. and Rev. Henry, 553
Beauclerk, Lord, 553
Beaumont, Sir Francis, 318
Bechenoe, Capt. 455
Beckman, Miss, 516
Bedford, Duke of, 134
Bedford, Earl of, 46
Belasyse of Worlaby, 105
Belhaven, Lord, 40
Bellenden of Auchinoule, 126, 342
Bellenden of Broughton, 446
Bellew, Lord, 308, 321
Belmore, Earl, 143
Bennet, Sir Simon, 2
Bennet of Grubbet, 259
Beranger, Mary de, 222
Berkeley, Earl of, 105
Berkeley, Hon. Geo. Cranfield, 108
Berkley of Gairntully, 474
Berkshire, Earl of, 374
Berriedale, Lord, 499
Berriedale, Master of, 482
Bertram of Kersewell, 421
Bethune of Blebo, 175
Betoun of Creich, 165, 429, 541, 620
Beverley, Earl of, 553
Bindon, Viscount, 100
Binning, Lord, 181
Billingham, Charles, 182
Binfield, Miss, 624
Blackader, Beatrix, 174
Blackader of Blackadder, 174
Blackader of Tulliallan, 228
Blacker of Carrick, 629
Blackwood of Pitreavie, 259
Blair of Balthyock, 156, 332
Blair of Blair, 35, 494
Blair of Kinfauns, 322
Blair of Rossiehall, 397
Blair of Tarsapie, 279
Blanc, Catherine le, 182
Bland, Lieutenant-General, 534
Blantyre, Lord, 103, 470, 567, 608
Blaquiere, Lord de, 344
Blenu of Castlehill, 401
Blundell of Blundellstown, 327
Blundell, Lord Viscount, 538
Boazd, Antonia de, 38
Bolsbec, Osberne de, 649
Bolingbroke, Viscount, 143
Bomar of Rossie, 111
Borthwick of Borthwick, 268, 332, 469
Borthwick, Lord, 131, 138, 605, 606
Borthwick, Lord Borthwick, 651
Borthwick, Master of 648
Bosville of Gunthwaite, 15
Boswell of Auchinleck, 145
Boswell of Balmuto, 273, 340, 618
Boswell, Christiana, 112
Bothwell, Earl of, 269, 317, 363, 499, 507, 578, 643, 646
Bothwell, Sir Francis, 288
Bouverie, Hon. Bartholomew, 410
Bowes of Streatlam Castle, and Gibside, 568
Bowick, John, 522
Boyd, Earl of Kilmarnock, 30
Boyd, Lord, 24, 146, 636
Boyd of Kilmarnock, 650
Boyd, Mary, 270
Boyd, Master of, 191
Boyd of Pinkill, 114
Boyd, Thomas, 36
Boynton, Sir Mathew, 2
Bragge of Clevedale, 49
Breadalbane, Earl of, 78
Brett, Richard, 454
Bridgewater, Duke of, 587
Briot, Esther, 55
Brisbane of Bishoptoun, 495, 655
Brisbane, Matthew, 292, 296
Brisbane of Rossland, 296
Brodie of Arnhall, 624
Brodie of Brodie, 138
Brooke, Earl of, 510
Brown of Coalstoun, 524, 526, 605
Brown of Hartree, 125, 634
Brown, Isabel, 540
Brown, Magdalen, 42
Brown of Mollance, 29, 61
Brown, Rev. Mr, 477
Brown, Richard, 2, 634
Bruce of Airth, 37, 125, 635
Bruce of Auchinbowie, 592
Bruce of Balchristie, 400
Bruce of Blairhall, 122
Bruce of Bunzeon, 399
Bruce of Carnock, 402
Bruce of Cultmalindie, 334
Bruce of Kinnaird, 37
Bruce of Kinross, 244, 432
Bruce, Peter, D. D. 481
Bruce of Poufouls, 397
Bruce of Powfoulis, 287
Bruce, Margary, 492
Bruce, Sir Alexander, 328
Bruce, Sir Thomas, 207
Brudenel, Lord, 105, 308
Brudenel of Rains, 310
Bruhl, Count Von, 188, 588
Buccleuch, Countess of, 588
Buccleuch, Duke of, 143
Buccleuch, Earl of, 116, 217, 431, 609, 622
Buccleuch and Queensberry, Duke of, 377, 389
Buchan, Earl of, 169, 185, 199, 201, 228, 317, 369, 411, 414, 475, 476, 557, 634, 642
Buchan Hepburn of Smeaton, 78
Buchan, Master of, 254
Buchanan of Buchanan, 125, 225, 228
Buchanan of Drummakell, 286
Buckingham, Duke of, 102, 318
Buckinghamshire, Earl of, 143
Buckinghamshire and Normanby, Duke of, 372
Bullock, Dr, 388
Bulteel of Membland, 434
Bunau, Henry, Count 548
Bunbury of Mildenhall, 106
Burges, George, 510
Burlington, Earl of, 451
Burlington and Cork, Earl of, 382
Burleigh, Lord of, 398
Burnet of Crimond, 353
Burnet of Lagaian, 516
Burnet of Leys, 516, 524
Burrell, Hon. Peter Robert, 367
Burroughs, ——, D. D. 451
Bute, Earl of, 464, 482, 485
Butter, William, 388
Cadogan, Earl of, 106
Caesar, Sir Julius, 601
Cairncross of Colmslie, 655
Cairncross, Walter, 655
Caithness, Earl of, 155, 239, 268, 315, 341, 391, 408, 498, 577
Calder, ——, 380
Calder, Marion, 115
Calendar, Christian de, 128
Calendar, Earl of, 244, 354, 607
Calendar, Thane of, 82
Calverley of Eccleshill, 2
Cameron of Lochiel, 13, 166
Campbell of Aberuchill, 122, 149
Campbell of Ardkinglass, 494
Campbell of Ardmaddie, 138
Campbell of Ardneave, 16
Campbell of Auchinbreck, 17
Campbell of Auchinlove, 37
Campbell of Barcaldine, 554
Campbell of Calder, 157, 192, 259
Campbell of Carradale, 139
Campbell of Cessnock, 146, 147, 182
Campbell, Colin, 122
Campbell, Col. John, 453
Campbell of Combie, 299
Campbell of Dunoon, 435
Campbell, Earl of Irvine, 1
Campbell, Earl of Loudoun, 144
Campbell, Elisabeth, 426
Campbell of Finab, 215
Campbell, George, 454
Campbell of Glenurchy, 147, 148, 223, 286, 288, 500
Campbell of Glenure, 393
Campbell of Inverniel, 547
Campbell, John, 377
Campbell of Kepneith, 563
Campbell of Lochnell, 477, 483
Campbell of Lochow, 144, 225, 359, 472, 505
Campbell, Lord, 507
Campbell of Loudoun, 34, 60, 96, 100, 210, 361, 362, 377
Campbell of Mamore, 161, 408
Campbell, Miss Janet, 72
Campbell of Monzie, 553
Campbell of Shawfield, 130, 150, 613, 627
Campbell of Stonefield, 20
Campbell of Succoth, 613
Campden, Viscount, 372
Campillo, M. de, 221
Canada, Viscount, 595
Cardigan, Earl of, 47, 105, 232, 308
Cardross, Lord, 118
Carliwell, William de, 200
Carlisle, Earl of, 3, 117, 375
Carlyle of Torthwald, 315, 377, or 494
Carmichael of Balmblae, 542
Carmichael of Balmeadie, 507, 514
Carmichael of Boningtoun, 422
Carmichael of Carmichael, 179, 506
Carmichael, Elisabeth, 174
Carmichael of Hyndford, 146
Carnaby of Halton, 374
Carnegy of Colothie, 55, 620
Carnegy, James, 70
Carnegy of Kinnaird, 352
Carnegy, Earl of Northesk, 322
Carnegy of Pittarrow, 405
Carnegy of Craig, 621
Carnegy, Earl of Southesk, 512
Carnegy, Margaret, 518
Carnwath, Earl of, 18, 29, 378, 514, 610, 647

Carr, ———, 215
Carr of Etal, 394
Carre of Cavers, 505
Carrick, Earl of, 250, 411, 472, 591, 639
Carruthers of Holmains, 215
Caryl, John, 483
Carysfort, Earl of, 486
Carysfort, Lord, 486
Cassillis, Countess of, 635
Cassillis, Earl of, 33, 69, 341, 458, 564, 634
Castel Blanco, Count, 221
Cathcart, Helen, 520
Cathcart, Lord, 302, 377, 493, 524, 526, 549
Cathcart, Master of, 165
Cathcart, Viscountess of, 516
Cavendish, Sir William, 98
Caulfield, Capt. 465
Caw, ———, 538
Chalmers of Gadgirth, 370, 520
Chalmers of Raderny, 306
Charlewood of Windlesham, 456
Charteris of Amisfield, 316, 378, 623, 635
Charteris, Jean, 62
Charteris of Kelwood, 61
Charteris, Miss Catherine, 609
Chastel, Louis de, 624
Chatelherault, Duke of, 145, 270, 634.
Cheer, Miss Margaret, 323
Chene, Mariota, 265
Chene, Reginald, 559
Chesham, Sir John, 310
Chester of Chickeley, 553
Chesterfield, Earl of, 567
Cheyne of Esslemont, 335, 475
Cheyne of Inneruglie, 187
Cheyne, Miss, 22
Cheyne, Reginald de, 571
Cheyne of Straloch, 640
Cheyne, Viscount of Newhaven, 310
Chiesly of Dalry, 219
Chisholm of Chisholm and Stonedge, 503
Chisholm of Comar, 480
Chisholm of Cromlix, 287, 291, 361, 551
Cholmondeley of Vale Royal, 553
Christie of Durie, 73
Clarendon, Earl of, 103
Clarendon and Rochester, Earl of, 388
Clavering, Lieut.-General, 303
Cleland of Cleland, 506
Clepburn, Miss, 122
Clephan of Carslogie, 334
Clerk of Pennycuick, 420, 481
Clerk, Robert, 420
Clifford of Chudleigh, 308
Clifford, Lord, 382
Clifton of Leighton Broomeswold, 101
Clinton, Major-General, 626
Clinton, Sir Henry, 626
Clive, Lord, 497
Clive of Styche, 497
Cochrane of Barbachlaw, 354
Cochrane, Captain Thomas, 422
Cochrane, Lord, 88, 583
Cochrane, Sir Alexander, 422
Cockburn of Chardy, 179
Cockburn of Clerkington, 66
Cockburn of Cockburn, 501
Cockburn of East Borthwick, 174
Cockburn of Ormistoun, 346, 499, 593
Cockburn of Sandybed, 88
Cockburn, younger of Langton, 482
Cogenho, William de, 310
Collace of Balnamoon, 397
Collins, Dr Samuel, 453
Colquhoun of Balloe, 508
Colquhoun of Colquhoun, 82
Colquhoun of Glins, 34
Colquhoun of Luss, 20, 34, 57, 72, 96, 240, 508, 584
Colvill, Lord of Ochiltree, 621
Colvill of Ochiltree, 33, 152, 493
Colvill, Weddirburn James, 491
Colville of Culross, 19, 148
Colville of Easter Wemyss, 273
Colville of Kincardine, 21
Colyear, Earl of Portmore, 371
Compton, Miss Elisabeth, 554
Conolly of Castleton, 106
Congalton of Congalton, 606, 442
Connor of Ballybricken, 75
Constable of Everingham, 321
Conyers of Horden, 600
Cooksey, Mary Ann, 220
Corbet of Makerstoun, 168
Cork, Earl of, 451
Cornwallis, Sir William, 1
Corry of Kelwood, 285
Coupar, Lord, 122
Courtenay, Lord Bishop of Exeter, 435
Courtenay, William, 435
Cousland, Lord of 346
Cox, Richard Bethell, 553
Cox, Thomas, 375
Craigy of Craigy, 514
Craik, John, 35
Craik of Stewartoun, 386
Cramond of Auldbar, 852
Cranbourn, Viscount, 47
Cranston of Corsbie, 66, 178
Cranston, Ideth, 178
Cranstoun, James, 346
Cranstoun, Lord, 116. 140
Cranstoun, Margaret, 442
Craven, Lord, 523
Crawford of Auchinames and Errol, 497
Crawford of Carse, 346
Crawford of Crawford, 264
Crawford of Crawfordland, 36
Crawford, Earl of, 35, 131, 172, 189, 272,
323, 352, 429, 499, 517, 618, 637, 655
Crawford of Haining, 125
Crawford of Kerse, 147, 593, 633
Crawford of Kilbirny, 146, 355, 493, 514
Crawford of Lahorris, 327
Crawford of Lochnorris, 146, 520
Crawford, Martha, 522
Crawford, Mary, 289
Crawford, Master of, 362, 499
Crawford, Sir Reginald, 144
Crawford, William, 522
Crawford and Lindsay, Earl of, 432
Creichtoun, Elisabeth, 286
Creightoun, Catharine, 658
Creightoun of Halloun and Luncardie, 551
Cressy of Birkin, 407
Cressy, Gervis, 408
Crichton of Cluny, 257
Crichton of Cranston-Riddel, 269
Crichton of Crichton, 132
Crichton, Elisabeth, 605
Crichton of Frendraught, 192, 335, 581, 654
Crichton, Jean, 346
Crichton of Kilpatrick, 25
Crichton, Lord, 428, 444, 527, 562, 633
Crichton, Lord of Sanquhar, 378, 445
Crichton, Margaret, 429
Crichton of Naughton, 429
Crichton of Ruthven, 17, 42, 44, 157
Crichton of Ruthvendeny, 493
Crichton of Sanquhar, 96, 177, 208, 210, 223, 377
Crichton, Sir Robert, 124, 551
Crichton of Strathurd, 540
Cromarty, Earl of, 158, 159, 482, 483, 613, 622
Cromarty, Sheriff of, 368
Crompton, Elisabeth, 183
Crosbie, Major, 422
Crump of Farnham, 142
Cumming of Altyr, 579
Cumming, Mrs Sarah, 454
Cumyn, David, 348
Cumyn Walter, 223
Cunningham of Barns, 605
Cunningham of Belton, 605
Cunningham of Bonnytoun, 589
Cunningham, Brigadier-General, 405, 495
Cunningham of Broomhill, 122
Cunningham of Caprington, 146, 326, 388, 405, 490, 524
Cunningham of Craigends, 37, 292
Cunningham of Cunninghamhead, 147, 464
Cunningham of Drumquhassell, 34
Cunningham of Enterkine, 522
Cunninghame, George, 605
Cunningham of Glengarnock, 633
Cunningham of Kirkshaw, 377
Cunningham of Milneraig, 527
Cunningham of Robertland, 35, 38
Cunningham, William, 145
Cunningham, younger of Craigends, 464
Curzon of Kedlestone, 373

Dalhousie, Countess of 524
Dalhousie, Earl of, 35, 347, 355, 421, 453, 514, 636
Dalkeith, Earl of, 382
Dallas of Lleroyston, 88
Dalmahoy of Ravelrig, 477
Dalrymple of Castleton, 394
Dalrymple, Colonel Campbell, 524
Dalrymple, Colonel James, 503
Dalrymple of Cousland, 346
Dalrymple of Cranston, 625
Dalrymple of Dunragget, 29
Dalrymple, Earl of Stair, 519
Dalrymple of Fordel, 625
Dalrymple of Hailes, 502, 524
Dalrymple of North Berwick, 394, 625
Dalrymple, Sir John, 348, 522
Dalston of Hartswell, 375
Dalway of Bellahill, 328
Dawkins of Standlinch, 373
Dalzell of Glenae, 18
Dalzell, John, 30
Dana, Rev. Edward, 43
Daniel, Thomas, 301
Danielston, Sir John, 629
D'Apecher Beatrix, 93
Darnley, Earl of, 103
Darnley, Lord, 36
Dawes of Rockspring, 388
Davies, Miss, 30
Davidson of Newton, 524
Delaval of Seaton Delaval, 116, 158
Delawarr, Earl, 303
Denholm of Coltness and Westshiel, 622
Denmark, King of, 5
Denny, Lord, 46
Dent, John, 601
Derby, Earl of, 137, 280
Devisme, Miss, 549
Devisme, Miss Elisabeth, 51
Devonshire, Earl of, 98
Dewar of Laverocklaw, 22
Dick of Grange, 122
Dick, Janet, 388
Dick of Prestonfield, 482
Dick of Rankeillour, 74
Dickson of Hartree, 482
Dickson, John, 286
Dickson of Smithfield, 605

Digby of Meriden, 511
Digby, Rev. C. 511
Dirleton, Lord of, 351
Doig of Cookstoun, 516
Donaldson of Allachie, 307
Dorchester, Countess of, 372
Dormer, Lord, 142
Dorset, Duke of, 571
Douglas, ——, 461
Douglas, Alison, 174
Douglas, Barbara, 167
Douglas of Barford, 377
Douglas of Cashogle, 377, 388
Douglas of Cavers, 262, 297, 441
Douglas, Colonel James, 8
Douglas of Corehead, 643
Douglas of Dalkeith, 37, 124, 170
Douglas de Loudonia, 505
Douglas of Douglas, 591
Douglas of Drumlanrig, 24, 25, 228, 314, 317, 446, 507, 635
Douglas, Earl of, 170, 201, 253, 268, 338, 339, 359, 473, 498, 560, 632
DOUGLAS, EARL OF MORTON, 264
DOUGLAS, EARL OF ORMOND, 344
DOUGLAS, EARL OF SELKIRK, 487
Douglas, Elisabeth, 181, 608
Douglas of Glenbervie, 14, 55, 191
Douglas of Hawick, 26
Douglas, J——, 484
Douglas, James, 19
Douglas, Janet, 590
Douglas, Joanna, 518
Douglas of Kelhead, 379, 386
Douglas of Kilspindie, 539
Douglas of Lochleven, 209, 211, 255, 536, 618
Douglas of Longniddry, 111
Douglas, Lord, 245
Douglas, Lord of, 186
DOUGLAS, LORD MORDINGTON, 263
Douglas of Lugton, 234
Douglas of Mains, 96, 633
Douglas, Marquis of, 40, 140, 217, 320, 364, 380, 487, 537, 582, 595, 622
DOUGLAS, MARQUIS OF QUEENSBERRY, 376
Douglas of Mordington, 334
Douglas of Niddisdale, 338
Douglas of Pumpherston, 508, 594
Douglas of Penzie, 317
Douglas of Penzire, 377
Douglas of Spot, 354
Douglas of St Christophers, 524
Douglas of Strabrock, 187
Douglas of Whittingham, 39, 66, 286
Douglas, William de, 469
Douglas, younger of Lochleven, 565
Down, Lord, 158, 256, 466, 584
Dowel, John, 594
Drogheda, Earl of, 178, 458
Drummond of Balloch, 292, 358
Drummond, Beatrix, 326
Drummond of Blair, 46, 181, 360
Drummond of Broich, 657
Drummond of Carneck, 398
Drummond of Cargill and Stobhall, 359
Drummond of Concraig, 208, 236, 358
Drummond of Cultmalindie, 595
Drummond of Drummond, 201
DRUMMOND EARL OF MELFORT, 220
DRUMMOND, EARL OF PERTH, 357
Drummond of the Grange, 52
Drummond of Innerpeffry, 146, 361, 362
Drummond, John, 609
Drummond, John of, 227
Drummond of Keltie, 399
Drummond of Logie Almond, 42, 306, 363
Drummond, Lord, 214, 238, 240, 361, 431, 448, 550, 633
Drummond of Machany, 364, 552, 602
Drummond of Pitkellony, 398, 399
Drummond, Provost 360
Drummond of Stobhall, 41, 338
DRUMMOND, VISCOUNT OF STRATHALLAN, AND LORD MADERTY, 550
Duff of Cowbin, 477
Duffus, Lord, 128, 259, 395, 482, 483, 579
Duglas, Hugh de, 467
Duguid of Auchinhufe, 368
Dumfries, Countess of, 533
Dumfries, Earl of, 527, 551
Dun, Laird of, 391
Dunbar, Alexander, 574
Dunbar of Baldoon, 488, 526
Dunbar of Cumnock, 574
Dunbar of Cumnock and Westfield, 576
DUNBAR, EARL OF DUNBARAND MARCH, 166
DUNBAR, EARL OF MORAY, 252
Dunbar of Enterkin, 146, 148
Dunbar of Frendraught, 573
Dunbar of Grange, 579
Dunbar, Helen, 619
Dunbar of Hempriggs, 393, 579
Dunbar of Kinloss, 579
Dunbar, Mariot, 55
Dunbar of Mochrum, 59
Dunbar of Westfield, 157, 424, 579
Dunbar and March, Earl of, 251, 266, 641, 642
Dunbarton, Earl of, 342
Dundas of Arnistoun, 35, 175, 214, 422, 522, 656
Dundas of Duddingston, 299, 353
Dundas of Dundas, 114, 116, 124, 334, 592, 594
Dundas of Fenzics, 513
Dundas of Fingask, 76, 88, 136, 514
Dundas of Hervicstoun, 656
Dundas of Newliston, 528
Dundee, Viscount of, 38, 448
Dundonald, Countess of, 567
Dundonald, Earl of, 38, 387, 420, 488, 567, 583, 611
Dunfermline, Earl of, 18, 70, 275, 362, 431, 482, 607, 608, 637
Dunlop of Bishoptoun, 497
Dunmore, Earl of, 42, 280, 281, 523
Dunsyre, Lord of, 505
Durham of Pitkerrow, 232
Durham of Pittan and Luffness, 500
Durie of Durie, 120, 273, 430
Durie of Grange, 459
Dysart, Countess of, 72
Dysart, Earl of, 455, 612

Eason, Dr, 399
Eatt, John, 454
Edgar, Major Thomas, 394
Edmond, Colonel, 590
Edmonstone of Duntreath, 96, 237, 238, 418
Edmonstone of Edmonstone, 65, 132, 284, 446
Edmonstone of Longfaugh, 182
Edmonstone of Woolmet, 178
Edsir, Miss Louisa Maria, 16
Edwards of Castlegore, 328
Edwin, John, 524
Effingham, Earl of, 435
Eglintoun, Countess of, 419
Eglintoun, Earl of, 14, 34, 35, 38, 117, 127, 149, 166, 260, 261, 361, 362, 378, 419, 431, 493, 495, 507, 608, 643, 645, 648, 654
Eglintoun of Eglintoun, 267
Eglintoun, Master of, 378
Egmont, Earl of, 554
Egremont, Countess Dowager of, 183, 588
Elgin, Earl of, 107
Elibank, Lord, 335, 599, 613
Eliot of Greenwells, 516
Elliot of Minto, 526
Elphinston, ——, 426
Elphinston of Logie, 524
Elphinstone of Blythswood, 35, 495
Elphinstone, Lord, 72, 126, 196, 210, 361, 362, 367, 391, 405, 465, 581, 595, 637
Ely, Earl of, 178
England, King of, 98, 104, 166, 168
Erale of Much Markie, 50
Erale of Whetham, 50
Errol, Countess of, 56, 394
Errol, Earl of, 36, 97, 127, 128, 193, 216, 222, 256, 268, 274, 333, 334, 363, 419, 426, 441, 449, 474, 495, 515, 552, 563, 565, 577, 592, 646
Erskine of Alva, 88, 217, 355, 502
Erskine of Cambo, 18
Erskine, Captain, 388
Erskine of Cardross, 608
Erskine of Carnock, 118, 259
Erskine, Colonel, 355, 386
Erskine, Dr John, 394
Erskine of Dun, 14, 55, 353, 518
ERSKINE, EARL OF KELLIE, 16
ERSKINE, EARL OF MARR, 206
Erskine of Erskine, 123, 187, 273, 332
Erskine of Gogar, 125
Erskine of Grange, 54
Erskine of Inchmartine, 617
Erskine of Innertiel, 114
Erskine of Kinnoul, 124
Erskine, Lord, 87, 145, 190, 259, 278
Erskine, Margaret, 462
Erskine, Master of, 239
Erskine, Sir Alexander, 617
Erskine, Sir James, 502
Erskine, Sir Robert, 226
Erskine, Sir Thomas, 200
Erskine, Sir William, 537
Erskine of Tinwald and Alva, 586
Erskine of Torry, 625
Erskine of Venfaw, 73
Erth, Berward de, 82
Essex, Earl of, 134, 348
Eveland, Johanna de, 495
Evelyn, Raymond George, 435
Eyre of Grove, 52
Eyre of Walworth Castle, 308

Fairfax, Viscount, 2
Fairlie, John, 395
Falconer of Balnakettle, 57
Falconer of Halkertoun, 54
Falconer of Monktoun, 57, 514
Falconer of Newton, 279
Farmer, Miss Jaconina, 454
Farrer of Cole-Brayfield, 307
Farquhar of Menie, 579
Farquharson of Invercauld, 394, 422, 501
Faslane, Walter de, 84
Fauconberg, Viscount, 2
Fawsyde of Fawsyde, 386
Fawsyd, William de, 629
Federth, William de, 571
Fector of Updown, 465
Fentoun, Janet, 156
Fentoun, Viscount of, 475
Ferguson of Craigdarroch, 534
Ferguson, Finlay, 63
Ferguson, James, 526
Ferguson of Kilkerran, 73, 526, 584
Fernie of Fernie, 620
Ferrars, Sir Humphrey, 504
Ferrers, Alice, 2
Ferrers of Tamworth, 116
Fife, Countess of, 456

Fife, Earl of, 227, 477, 556, 615
Fife, Elisabeth, 279
Finch, Hon. William, 382
Findlater, Earl of, 430, 475, 621
Findlater and Seafield, Earl of, 48, 73
Fitzmaurice, Hon. Thomas, 344
Fitzwalter, Lord, 348
Flaccourt, Lord of, 349
Fleetwood, Sir William, 311
Fleming of Barochan, 494
Fleming of Biggar, 351
Fleming of the Bord, 124, 633
Fleming, Earl of Wigton, 628
Fleming, Lord, 68, 69, 96, 124, 125, 126, 211, 239, 361, 378, 419, 593, 632
Fleming, Sir Patrick, 472
Fletcher of Cranstoun, 522
Fletcher of Huttonhall, 374
Fletcher of Innerpeffer, 48
Fletcher of Salton, 306, 516
Fletcher, Sir George, 39
Flower, Mary, 49
Floyer, Charles, 220
Forbes of Ballogie, 476
Forbes of Blackton, 475
Forbes of Brux, 369
Forbes of Craigievar, 497
Forbes of Culloden, 456, 579
Forbes of Fetheil, 368
Forbes, George, 567
Forbes, John, 387
Forbes of Kinnaldie, 473
Forbes of Leslie, 122
Forbes of Lethinty, 367, 368
Forbes, Lord, 18, 33, 187, 189, 192, 369, 389, 433, 499, 563, 579, 601, 645
Forges, Lord Forbes of Pitsligo, 367
Forbes of Monymusk, 53
Forbes of New, 368
Forbes of Pitsligo, 119, 166, 193, 217, 368, 470, 613
Forbes of Rires, 367
Forbes of Tolquhoun, 368, 369, 475
Forbes of Skellater, 476
Forbes of Watertoun, 368
Forbes, younger of Monymusk, 369
Foreman, Archbishop of St Andrews, 462
Foreman of Dalvin, 462
Forrest, Robert, 398
Forrester of Carden, 635
Forrester of Corstorphine, 314, 338, 346, 593.
Forrester of Garden, 37, 147
Forrester, Lord, 39, 88
Forrester, Lord of Corstorphine, 420
Forrester, Margaret, 592
Forrester, Marint, 361
Forrester of Torwood, 210
Forster, Alicia, 613
Forster of Bolton, 441
Fortescue of Dromisken, 142
Fotheringham of Powrie, 158, 463
Foulis of Colinton, 17
Foulis, Mary, 291
Foulis of Ravelston, 402, 404, 607
Fowres of Rittery, 509
France, Marechal of, 94
Fraser of Dalcross, 157
Fraser of Dunballoch, 215
Fraser, Jean, 481
Fraser of Inverallochie, 19
Fraser of Keith Symon, 185
Fraser of Knoik, 96
Fraser of Leadclune, 161
Fraser, Lord, 158
Fraser, Lord Lovat, 153
Fraser of Lovat, 253
Fraser, Maudd, 253
Fraser of Murthill, 362
Fraser of Oliver Castle, 603, 630
Fraser of Philorth, 37, 191, 367, 413, 470
Fraser, Simon, 478
Fraser, Sir John, 188
Fraser of Strichen, 260, 369
Fraser of Techmurie, 475
Fraser of Torbreck, 80
Frazer, Simon, 336
French of Thornydikes, 178
Frendraught, Viscount of, 116, 459
Fullerton of Dudwick, 56
Fullerton of Fullerton, 395, 518
Fullerton, Mary Strachan, 516
Fullerton, Susanna, 518
Fullerton, William, 519

Gawler of Ramridge, 453
Gale, Johanna, 374
Galbraith of Kilcroich, 35
Galthorpe, Ann, 1
Galloway, Bishop of 578
Galloway, Earl of, 26, 29, 196, 277, 374, 379, 484, 501, 515, 626
Galway, Viscount, 51
Garforth of Hutton, 375
Garnock, Viscount of, 355
Garvell, Laird of, 398
Gascoigne, Sir Charles, 525
Gascoyne of Manchester, 497
Gavin of Langton, 78
Ghika, Y. Mackneill, 390
Gibbs, Sir Vicary, 485
Gibson of Durie, 346, 542
Gibson, Jean, 122
Gibson, Malcolm, 346
Gibson Wright, of Cliftonhall and Kerse, 74
Giffard, Lord of Yester, 649
Giffard, Sir John, 283
Giffard of Sheriff-hall, 268
Giffard, of Yester, 31, 314, 603
Gight, ——, 65
Gilbert of Paul's Walden, 568
Gilbert of Windsor House, 142
Gillespie of Cherryvalley, 398
Gillespie of Kirktoun, 516
Gillespie, Major-General, 398
Gillies, Dr, 119
Gillon, of Wallhouse, 259
Gilmour of Craigmiller, 420
Gladstones of Cocklaw, 297
Glamis, Lord, 191, 274, 429, 444, 470, 518
Glandore, Earl of, 422
Glanville of St Clere, 435
Glasgow, Bishop of, 603
Glasgow, Countess of, 584
Glasgow, Earl of, 153, 423
Glen, Sir John, 207, 617
Glencairn, Earl of, 36, 44, 73, 87, 131, 217, 475, 608, 648
Glendonwyn of Glendonwyn, 24, 320
Glendonwyn of Drumrash, 28
Gordon of Abergeldy, 554
Gordon of Aboyne, 574
Gordon of Ardoch, 22
Gordon of Achanachy, 231
Gordon of Auchlauin, 28
Gordon of Coclarachie, 575
Gordon, Charles Hamilton, 422
Gordon of Clunie, 534
Gordon of Culvennan, 29
Gordon, Duke of, 4, 109, 364, 625
Gordon of Dundeugh, 39
Gordon of Earlstoun, 28
Gordon, George, 575
Gordon of Glenbucket, 513
Gordon of Grange, 29
Gordon of Greenlaw, 320
Gordon of Haddo, 193, 363
Gordon of Hallhead, 299
Gordon of Halleaths, 356
Gordon of Huntly, 188
Gordon of Kenmore, 484
Gordon of Kilcalmkill, 391
Gordon of Kinnelfar, 477
Gordon of Lesmoir, 368
Gordon of Letterfourie, 24
Gordon of Lochinvar, 32, 60, 147, 175, 320, 377, 378, 475, 507
Gordon, Lord, 361
Gordon, Margaret, 61
Gordon of Midmar, 156
Gordon, Miss, 497
Gordon of Navidale, 391
Gordon of Park, 476, 524
Gordon of Pitevie, 368
Gordon of Pitlurg, 515
Gordon of Shirmers, 28
Gordon, Sir Adam de, 641
Gordon of Strathdown, 368
Gordon, Thomas, 577
Gordon, Viscount of Kenmure, 28
Gordon, Viscount of Melgum, 222
Gordon of Whitepark, 61
Gordon and Huntly, Lord of, 9
Gower, Earl, 587
Gower, Sir Alan, 587
Gowrie, Earl of, 27, 100, 147, 230, 240, 350
Grace, Miss, 321
Graham of Airth, 128
Graham of Balgowan, 397, 553
Graham of Balnagowan, 306
Graham, Catherine, 535
Graham of Claverhouse, 322
Graham of Dalkeith and Abercorn, 265
Graham of Duchray, 228
Graham, Duke of Montrose, 233
Graham of Dundaff and Kincardine, 560
Graham, Earl of Menteith, 227
Graham of Fintry, 272
Graham of Gartmore, 374, 537
Graham of Gartur, 228
Graham, George, 509
Graham of Inchbraco, 280, 397, 551
Graham of Innermay, 518
Graham, John, 551
Graham, Jonet, 396
Graham of Kilbride, 374
Graham of Kincardine, 258
Graham of Knockdolian, 239
Graham, Lord, 87, 532
Graham, Margaret, 37
Graham of Morphie, 514
Graham of Norton Conyers, 374
Graham of Orchil, 281
Graham, Sir David, 413, 557
Graham, Sir John, 227
Graham, Sir Patrick, 560
Graham, Viscount of Preston, 374
Granby, Marquis of, 307
Grange, Lord, 219
Grant, Christopher, 601
Grant, Earl of Seafield, 478
Grant, Elizabeth, 480
Grant of Grant, 157, 160, 259, 260, 456, 481, 525
Grant of Grantsfield, 42, 566
Grant, Miss, 22, 88
Granville, Earl of, 612
Gray of Balindoran, 42
Gray of Ballegarno, 42
Gray of Foulis, 351
Gray, Jonet, 147, 619
Gray, Lord, 42, 55, 121, 122, 156, 163, 189, 261, 262, 335, 341, 429, 542, 563, 564, 565, 618, 621
Gray, Master of, 632
Gray of Pittendrum, 405

Greenway, John, 299
Greig, William, 400
Greville of Milcote, 2
Greville, Hon. Robert Fulke, 549
Grey, Lord, 626
Grey, Marchioness, 183
Grierson of Barjarg, 214
Grierson of Lag, 26, 35, 377, 378, 379, 543, 636
Griffin, Cyrus, 600
Gustavus, Baron of Ragnitz, 548
Guthrie of Guthrie, 352
Guthrie of Lunan, 512
Gwydir, Lord 367

Haddington, Countess of, 434, 525
Haddington, Earl of, 35, 53, 134, 178, 216, 278, 432, 489, 514, 525, 526
Hairstanes of Craigs, 586
Halero of Halero, 341
Haldane of Gleneagles, 73, 86, 87, 158, 175, 209, 210, 215, 225, 238, 285, 352, 551, 555, 621, 641
Halden, Jean, 175
Hale of Hatewell, 372
Halyburton, Archibald, 176
Haliburton of Dirleton, 176, 239, 338
Haliburton of Pitcur, 47, 277, 322, 352, 353, 448, 482, 514, 515, 542
Halyburton, Lord, 642
Halyburton, Lord of Dirleton, 414, 426
Halkerton, Lord, 514
Halket, Jean, 522
Halket of Pitfirran, 260
Hall of Dunglass, 182, 490
Halliday, Robert, 387
Halliday of Tillihole, 398
Hamilton of Baldoon, 435
Hamilton of Ballincrieff, 140
Hamilton of Bangour, 523, 525
Hamilton of Bargeay, 625
Hamilton of Broomhill, 494
Hamilton of Cadyow, 124, 187, 189, 267 473
Hamilton, Colonel James, 19
Hamilton of Dalzell, 259, 524
Hamilton, Duchess of, 342, 355, 451, 487, 567
Hamilton, Duke of, 342, 353, 457, 515, 611, 626
HAMILTON, EARL OF ORKNEY, 342
HAMILTON, EARL OF RUGLEN, 457
Hamilton of Evandale, 34, 120
Hamilton of Fala, 347
Hamilton of Finnart, 430, 508
Hamilton, Hon. John, 189
Hamilton of Innerwick, 131, 136, 179, 300
Hamilton, Johanna, 494
Hamilton of Kilbrackmont, 292
Hamilton of Letrick, 552
Hamilton, Lord, 33, 96, 560, 645
Hamilton, Marquis of, 318, 379, 564
Hamilton, Miss Marion, 524
Hamilton of Olivestob, 524
Hamilton of Parkley, 353
Hamilton of Preston, 346
Hamilton of Raploch, 53, 113, 273, 419, 509
Hamilton of Redhouse, 509
Hamilton of Sanquhar, 494
Hamilton of Silvertonhill, 589
Hamilton, Sir Charles, 553
Hamilton, Sir Francis, 495
Hamilton, Sir Walter, 413
Hamilton of Stanhouse, 494
Hamilton of Stonyflat, 508
Hamilton, Viscount, 277
Hamilton of Westburn, 299
Hamilton, William, 556
Hamilton of Wishaw, 214
Hamilton younger of Orbiston, 347
Hamilton and Brandon, Duke of, 626
Hannay, Miss Agnes, 319
Hardy, Henry William, 387
Hardy, Lieutenant, 57
Hardwicke, Earl of, 183
Harestanes of Craigs, 215
Harewood, Lord, 277
Harland of Sproughtonhall, 534
Harley John, 319
Harley, Right Hon. Thomas, 52
Harrington, Earl of, 484
Harrington, Edward, 337
Hartfell, Earl of, 374, 379, 514
Hatton, Alexander, 655
Hatton of Eastwell Park, 549
Hatton, Viscount of, 451
Hawkin, Brown of Badger, 49
Hay of Alderston, 525, 606
Hay, Alexander, 469
Hay of Ardendroch, 469
Hay of Barra, 606
Hay of Belton, 618
Hay, Capt. William, 612
Hay of Cromlix, 546
Hay of Drummeltzier, 40, 609
HAY, EARL OF ERROL, 44
Hay of Errol, 173, 187, 426, 604
Hay of Federet, 475
Hay, Gilbert, 604
Hay, John, 612
Hay of Killour, 42, 552
Hay of Linplum, 298, 613
Hay of Locharret, 654
Hay of Locherworth, 351, 472, 630
Hay, Lord, 607, 608, 614, 654, 656, 660
HAY, MARQUIS OF TWEEDDALE, 602
Hay of Megginch, 48
Hay of Mordington, 140
Hay of Naughton, 121, 463
Hay of Newhall, 609
Hay of Pitfour, 48
Hay of Smithfield, 275
Hay of Ury, 475
Hay of Yester, 125, 133, 135, 173, 320, 470, 506
Heathcote of Normanton, 277
Henderson, Isabel, 370
Henderson of Fordel, 259
Hepburn of Alderston, 648
Hepburn of Bearford, 56
Hepburn of Craig, 177
HEPBURN, DUKE OF ORKNEY, 340
Hepburn of Hailes, 125, 210, 591
Hepburn, Helen, 507
Hepburn of Humbie, 552, 588
Hepburn, Janet, 175, 507
Hepburn, Margaret, 41
Hepburn of Waughton, 177, 371, 419, 592
Hepburn, younger of Humbie, 522
Herbert, Lord, 102
Heriot, David, 401
Heriot, George, 402
Heriot of Trabrown, 66, 594
Heron of Chipchase, 374
Heron of Heron, 29, 387
Herries, Lord, 26, 60, 61, 130, 131, 132, 317, 600, 606, 636, 647
Herries of Terregles, 315
Hevring, Sir John, 505
Hertford, Earl of, 100
Hertford, Marquis of, 4, 98
Hervey, Miss, 374
Hervey of Bodvel, 409
Hervey, Keith, 471
Hobey, John, 538
Hog of Newliston, 477
Hog, William, 259
Holdernesse, Earl of, 141
Holland, Lord, 106
Home of Billie, 176
Home of Coldinghamlaw, 176
Home of Coldingknows, 175, 445
Home, Earl of, 71, 140, 181, 259, 274, 275, 334, 446
HOME, EARL OF MARCHMONT, 173
Home of Home, 152, 173, 332, 604
Home of Jardinefield, 176
Home of Kimmerghame, 405, 503
Home of Law, 176, 178
Home, Lord, 17, 193, 210, 564
Home of Lumsdaine, 175, 176
Home of Lundies, 210
Home of Manderston, 178, 179, 182
Home, Margaret, 443
Home, Ninian, 175
Home of Polwarth, 133, 134
Home of Renton, 647
Home of Wedderburn, 26, 136, 147, 443
Hood, Sir Samuel, 486
Hope of Craighall, 214
Hope, of Hopetoun, 194
Hope of Kerse, 323
Hope of Waughton, 549
Hopetoun, Earl of, 118, 219, 299, 324, 383, 549
Hopprigsill of Smailholm, 174
Hore of Harperstoun, 465
Horn, Anne, 524
Horsburgh of Horsburgh, 606
Horseman, ——, 523
Houston of Calderhall, 78
Houston, Elisabeth de, 632
Houston of Houston, 38, 125, 164, 340, 366
Howard, Henry, 484
Howard, Henry, of Tewerhouse, 409
Howard, Hon. William, 374
Howard, Lieutenant-General, 409
Howard, Lord of Effingham, 409
Howard, Major-General, 409
Howard, Sir Charles, 522
Howard, Sir George, 409
Howard, Sir William, 119
Howard of Thorpe, 434
Hull, Miss, 73
Humberston, Mathew, 485
Hume of Hume Castle, 181
Hume of Ninewells, 56
Hume of Polwarth, 136
Hume of Wedderburn, 87
Hunt, Captain, 400
Hunter of Barjarg, 302, 422
Hunter, Captain, 400
Hunter of Frankfield, 182
Hunter, Mrs, 387
Hunter of Waverley Abbey, 454
Huntly, Earl of, 188, 190, 191, 253, 361, 363, 364, 427, 473, 562, 574, 577, 578
Huntly, Marquis of, 100, 127, 259, 487, 600, 647
Hutchinson, Elisabeth, 458
Hyndford, Earl of, 73, 551
Hyslop of Lochend, 220
Hyslop, Miss Agnes, 29

Jaffrey, Barbara, 55
Jamieson, Miss Margaret, 509
Jardine of Applegirth, 316, 378, 379, 507
Ibrackan, Lord, 103
Jedburgh, Lord, 178, 179, 327
Jedburgh, Master of, 131, 607
Jersey, Earl of, 343
Jessop, Henry James, 569
Inchaffrey, Abbot of, 578
Inchiquin, Earl of, 343
Inchmartin of Inchmartin, 207
Inchmartin, Sir Patrick de, 617

Inglis of Cramond, 366, 409, 524, 597
Inglis of Otterstown, 216
Inglis of Tarvit, 513
Ingylton of Thornton, 311
INGRAM, VISCOUNT OF IRVINE, 1
Innermeath, Lord, 189, 257
Innertuyl, ——, 40
Innes of Innerbraky, 480
Innes of Inues, 259, 419, 424, 449, 455, 456, 577
Innes, Walter, 480
Joddrel of Yeardsley, 497
Johnston of Carnsalloch, 301
Johnstone of Elphinstone, 112, 175, 320
Johnston of Gratney, 464
Johnston of Hilton, 179, 300
Johnston, James, 378, 400
Johnston of Johnston, 172, 297, 316, 378, 590, 636
Johnston of Kenilworth, 523
Johnston of Lathrisk, 75
Johnston of Lockerby, 387, 388
Johnston, Mariot, 175
Johnston of Wamphray, 386, 398, 399
Johnston, Warriston, 552
Johnstone of Westerhall, 43, 334
Irvine of Bonshaw, 388, 398, 399
IRVINE, CAMPBELL, EARL OF, 1
Irvine of Drum, 115, 189, 192
IRVINE, INGRAM, VISCOUNT OF, 1
Isles, Lord of the, 390, 414, 415
ISLES, MACDONALD, LORD OF THE, 5
Ivie, ——, 57

Keck of Great Tew, 626
Keith of Benholm, 404
KEITH, EARL MARISCHAL, 184
KEITH, FALCONER, EARL OF KINTORE, AND LORD FALCONER OF HALKERTON, 53
Keith of Galston, 92, 187
Keith, Janet, 564
Keith of Innerugie, 24, 115, 192, 368, 474
Keith, Jonet, 427
Keith, Lord, 269, 280, 369
Keith of Ludquhavin, 193
Keith, Margaret, 327, 513
Keith of Pittendrum, 368
Keith, Sir Edward, 200, 208
Keith, Sir Robert, 64
Keith, Sir William, 475
Keith, Walter, 516
Kellie, Earl of, 21, 40, 115
KELLIE, ERSKINE, EARL OF, 16
Kellie, Margaret, 646
Kelley, Edward, 453
Kemp, Dr John, 324
Kemp of Slindon, 310
KENMURE, GORDON, VISCOUNT OF, 23
Kenmure, Viscount of, 475
Kennedy, Agnes, 520
Kennedy of Bargany, 26, 146, 327
Kennedy of Bargeny, 520
Kennedy of Blairquhan, 142, 192, 327
Kennedy, Catherine, 520
Kennedy of Culloan, 304, 346
Kennedy of Cultraw, 328
Kennedy of Dunure, 237, 391
Kennedy of Girvan Mains, 229, 576
Kennedy, Jean, 112
Kennedy of Knockdaw, 520
Kennedy of Largs, 26
Kennedy, Lord, 145, 234, 315, 458, 562, 641
Kennedy of Rotterdam, 476
Kennet of Coxhow, 484
Kent, Duke of, 183
Ker of Ancrum, 175
Ker of Auldtounburn, 592
Ker of Broomland, 606
Ker of Bughtrig, 139
Ker of Cavers, 181
Ker of Cessford, 133, 378, 462, 563
Ker of Cramond, 141
Ker, Commendator of Newbottle, 429
Ker of Dolphinstoun, 443
KER, DUKE OF ROXBURGHE, 439
Ker of Faudonside, 175, 327
Ker of Fernyhirst, 113, 177, 178, 445, 446, 506, 606
Ker of Greenhead, 621
Ker, Isabel, 515
Ker of Kersland, 146
Ker of Littledean, 355
Ker, Lord, 449, 637
Ker of Mersington, 443
Ker of Westnisbet, 135
Ker, Younger of Cessford, 462
KERR, MARQUIS OF LOTHIAN, EARL OF ANCRUM, AND LORD JEDBURGH, 130
Kerr, Charles, 627
Kerr of Newfield, 627
Keth, John de, 265
KILMARNOCK, BOYD, EARL OF, 30
Kilmarnock, Earl of, 128, 421
Kilmaurs, Lord, 643
Kilmoray, Viscount, 18
KILSYTH, LIVINGSTON, VISCOUNT OF, 37
Kinmerghame, Lord, 184
Kincaid, Alexander, 139
Kincardine, Earl of, 139, 366
Kinnaird of Kinnaird, 359, 513
Kinnaird, Lord, 158, 566
KINNAIRD, LORD KINNAIRD, 40
Kinghorn, Earl of, 128, 216, 354
Kingston, Duke of, 219, 587
KINGSTON, SETON, VISCOUNT OF, 39
Kingston, Viscount, 19,263, 608
Kinloch of Gilmerton, 305, 394
Kinloth of Cruvie, 592
Kinninmonth of Kinninmonth, 499, 620
Kinnoul, Earl of, 195, 219, 275, 518, 545, 552, 554
KINNOUL, HAY, EARL OF, 44
Kinross of Cambusnethan, 542
Kintail, Lord, 12, 13, 392
Kintore, Earl of, 37, 219, 543
KINTORE, KEITH FALCONER, EARL OF, 53
Kirkaldy of Grange, 134
Kirkcudbright, Lord, 146, 379
KIRKCUDBRIGHT, MACLELLAN, LORD, 58
Kirkpatrick of Closeburn, 506, 594
Kirkpatrick, Colonel, 18
Kirkpatrick of Raeberry, 20, 320
Kirkpatrick, Samuel, 61
Kirkpatrick of Shaws, 215
KNOX, John, 327, 445
Kynnymound of Kynnymound, 619, 620

Lambton of Harraton Hall, 568
Lamont of Inneryne, 495
Lamplugh, Miss, 57
Langton of Langton, 484
L'Arde, Alexander de, 559
Latherisk, Lord of, 199
Lauder of Bass, 177, 605, 606, 656
Lauder, Dr Robert, 263
Lauder of Hatton, 72, 284
Lauder of Popil, 606, 656
Lauderdale, Duchess of, 260, 584
Lauderdale, Duke of, 221, 366, 610
Lauderdale, Earl of, 88, 260, 347, 515, 584, 614, 646
LAUDERDALE, MAITLAND, EARL OF, 64
Lauderdale, Marquis of, 344
Laurie of Maxwelltoun, 214, 465
Laurie, Miss Jean, 483
Law, Miss, 549
Lawson, Barbara, 658
Lawson of Boghall, 37, 402
Lawson of Humbie, 87
Lawson, Margaret, 660
Lawson, William, 368
Learmouth of Balcomie, 429
Le Despencer, Lord, 78
Lee, John Henry, 614
Lee, Miss, 537
Lee, Sir Anthony, 311
Leeds, Duchess Dowager of, 372
Leeds, Duke of, 372
Leighton, Gen. Francis, 525
Leighton of Wattlesborough, 525
Leinster, Duke of, 44, 106, 422
Leith, Elisabeth, 424
Leith of Overhall, 524
Lemesic, Cecilia de, 504
Lennox, Countes. of, 361
Lennox, Duke of, 146, 214
LENNOX, DUKE OF LENNOX, 104
Lennox, Earl of, 95, 146, 157, 225, 283, 285, 327, 418, 577, 633
LENNOX, EARL OF LENNOX, 80
Lennox, Master of, 238
LENNOX, STEWART, DUKE OF, 90
Leslie of Balquhain, 17
LESLIE, EARL OF ROTHES, 424
Leslie of Leslie, 122, 413, 426
LESLIE, LORD LINDORES, 120
LESLIE, LORD NEWARK, 304
Leslie, Miss Sarah, 401
Leslie of Rothes, 642
Leslie, Sir Alexander, 412
Leslie, Sir Walter, 412, 413
Lesley, Andrew de, 467
LEVEN AND MELVILLE, MELVILLE LESLIE, EARL OF, 110
Leven and Melville, Earl of, 465, 622
Leven, Earl of, 114, 158, 323, 622
Levenax of Cullie, 61
Leves of the Vane, 103
Lichton of Ulishaven, 353
Liddell of Ravensworth Castle, 568
Liddell, Sir Francis, 175
Lill, Sarah, 328
Lindesay, Sir David de, 467
Lindores, Commendator of, 341, 351
LINDORES, LESLIE, LORD, 120
Lindores, Lord, 113, 259
Lindsay of Carraldstoun, 470
Lindsay of Covington, 590, 692, 636
Lindsay of Crawford, 188, 208, 267
Lindsay of Byres, 35, 56, 257, 273
Lindsay of Dunrod, 165, 273
Lindsay of Edzell, 194, 322, 514, 518, 541, 621
Lindsay, Elisabeth, 24
Lindsay of Evelick, 342, 546
Lindsay of Kinfauns, 470
LINDSAY, LORD SPYNIE, 517
Lindsay, Lord of Byres, 428, 430, 539, 605, 643
Lindsay, Margaret, 519
Lindsay, Mariot, 498
Lindsay of Wauchope, 28
Lindsay, Younger of Edzell, 595
Lingley, Mrs Mary, 335
Linlithgow and Calendar, Earl of, 36
Linlithgow, Earl of, 347, 354, 566
LINLITHGOW, LIVINGSTON, EARL OF, 122
Liria, Duke of, 221
Lister, ——, 522
Lithbridge of Westaway, 511
Little of Liberton, 420
Livingston of Barncloich, 38
Livingston of Darnchester, 635
Livingston of Drumry, 618
LIVINGSTON, EARL OF LINLITHGOW, 122

Livingston, Earl of Newburgh, 308
Livingston of Jerviswood, 378
Livingston, John, 634
Livingston of Kilsyth, 209, 228, 346, 589, 635
Livingston of Livingston, 207
Livingston of Little Airds, 25
Livingston, Lord, 11, 269, 342, 494, 606, 632, 634
Livingston, Mary, 329
Livingston, Peter Vanburgh, 538
Livingston, Viscount of Kilsyth, 37
Livingston, Viscount of Teviot, 589
Lloyd, Miss, 476
Lockhart of Bar, 359
Lockhart of Carnwath, 261, 637
Lockhart of Carstairs, 379, 421
Lockhart of Cleghorn, 419, 507
Lockhart of Lee, 145, 589
Lockhart of Lee and Carnwath, 422
Lockwood, Rev. Mr 554
Logan of Cowston, 402
Logan of Raiss, 495
Logan of Restalrig, 346, 506, 564, 644
Lombe, Sir Thomas, 76
Long of Preshaw, 326
Long, Samuel, 78, 546
Longuemarre, Mary, 222
Longueville, Jacqueline de, 95
Lorens, Eda, 185
Lorens, Hugh, 471, 578
Lorn, Lord, 209, 424, 479
Lothian, Earl of, 35, 135, 299, 320, 379, 429, 475, 607, 656
Lothian, Kerr, Marquis of, 130
Lothian, Marquis of, 108, 139, 300, 423, 627
Lovat, Fraser, Lord, 155
Lovat, Lord, 42, 88, 99, 258, 480, 481, 582, 621
Lovat, Master of, 116
Loudoun, Campbell, Earl of, 144
Loudoun, Earl of, 354, 406, 528, 532
Loudoun, Lord, 26
Loudoun, Master of, 635
Lovel of Balumby, 272
Lovelace, Lord, 553
Lowestoun, John, 288
Lucas, Baroness, 183
Lucy, Sir Berkeley, 554
Lumsdaine of Innergellie, 610
Lundie of Benholm, 513
Lundie, Isobel, 429
Lundin of Lundin, 70, 87, 113, 221, 366, 371, 426
Lundy of Balgony, 111, 334
Lundy of Lundy, 619
Lusanne, Countess de, 221
Lyle of Craighate, 164
Lyle, Lord, 641
Lyle, Lord Lyle, 162
Lyon of Auldbar, 274, 494
Lyon, Earl of Strathmore and Kinghorn, 561
Lyne, Robert de, 602

Macallister of Loup, 6
Macaulay of Arncaple, 175
Macaula, Murdoch, 479
Macculloch of Ardwell, 28, 62
Macculloch of Cardoness, 26
Macculloch of Piltoun, 122
Macdonald of Castleton, 14
Macdonald of Clanronald, 21, 165, 488
Macdonald of Donowaig, 12
Macdonald of the Isles and Lochalsh, 165, 359
Macdonald of Keppoch, 14
Macdonald, Lord of the Isles, 5
Macdonald, Miss, 521
Macdonald of Moydart, 12, 13
Macdonald of Slate, 166, 275
Macdonald of Sleat, 481
Macdonell of Glengary, 10, 158, 480, 483
Macdonell, Lord Macdonell and Arras, 165
Macdonnel and Arras, Lord, 13
Macdougal of Gallanich, 613
Macdougal of Makerstoun, 38, 456
Macdougal, Margaret, 479
Macdougal, younger of Macdougal, 465
Macdowall of Freugh, 29, 533
Macdowall of Garthland, 26, 135, 230, 329
Macdowall of Machrimore, 25
Macdowall of Mackerston, 604, 650
Macdowall, Miss, 420
Macelligot, Major-Gen. 637
Macghie of Balmacghie, 29
Macghie, Florence, 61
Macgill of Cousland, Cranstoun, and Oxfurd, 346
Macgill of Cranstoun Macgill, 347
Macgill of Fala and Oxfurd, 522, 523
Macgill of Kemback, 345
Macgill of Rankeillour, 345, 463, 626
Macgill, Viscount of Oxfurd, 346
Macgillean of Dowart, 9
Macfarlan of Macfarlan, 19
Macguire of Drumdow, 215
Machel of Hills, 2
Macintosh of Dalzell, 391
Macintosh of Dunachtane, 480
Macintosh of Mackintosh, 10, 25
Mackay of Bighouse, 395, 580
Mackay of Far, 580
Mackay of Islandhanda, 393
Mackay, Lord Reay, 389
Mackay of Scaury, 393
Mackay of Skibo, 395
Mackenzie, Alexander, 486
Mackenzie of Allangrange, 57
Mackenzie of Applecross, 485
Mackenzie of Coul, 14, 579
Mackenzie of Davachmaluak, 481
Mackenzie, Dr Alexander, 485
Mackenzie, Earl of Seaforth, 470
Mackenzie of Garloch, 13, 481
Mackenzie, Hon. Col. Alexander, 488
Mackenzie of Kilcoy, 485
Mackenzie of Kintail, 156, 158
Mackenzie of Lentron, 393
Mackenzie of Lewis, 422
Mackenzie, Major-General, 485
Mackenzie of Prestonhall, 158, 159, 482
Mackenzie of Redcastle, 391
Mackenzie of Roystoun, 482
Mackenzie of Scatwell, 422
Mackenzie of Tarbet, 13, 17, 158, 483
Mackworth of the Gnoll, 57
Mackye of Polgowan, 423
Maclachlan of Maclachlan, 165
Maclean of Dowart, 8, 12, 165, 481
Maclellan of Bomby, 21, 26, 320
Maclellan, Lord Kirkcudbright, 58
Macleish, ——, 538
Macleod of Assint, 579
Macleod of Bernera, 13, 481
Macleod, Col. John, 142
Macleod of Greshunish, 14
Macleod of Harris, 479
Macleod of Lewes, 341, 479
Macleod of Lewis, 390, 480
Macleod of the Lewis, 12
Macleod of Macleod, 13, 14, 157, 158, 160, 482, 483
Macleod of Rasay, 154
Macnaught of Crago, 24
Macpherson of Clunie, 160
Macqueen, Captain John, 14
Madan, Colonel, 74
Maderty, Lord, 83, 122, 240, 334, 597, 552
Magnus, M. 307
Main of Arthurhouse, 401
Maitland, Barclay, of Tillicoultry, 76
Maitland of Craigieburn, 300
Maitland, Earl of Lauderdale, 64
Maitland of Freugh, 435
Maitland, Hon. William, 347
Maitland of Lethington, 170, 448, 508, 634, 643
Maitland, Robert, 366
Maitland, Sir Robert, 187
Maitland of Soutra, 435
Malcolm of Ford Farm, 547
Mallory of Studley Royal, 2
Man, King of, 5, 557
Manchester, Duke of, 245
Manchester, Earl of, 2, 46
Manners, Charles, 613
Manners, John, 455
Manners, Sir William, 455
Manners of Southwitham, 612
Mansfield, Earl of, 48
Mansfield, Lord, 108
Mansfield of Midmar, 524
March and Moray, Countess of, 573
March and Ruglen, Earl of, 384
March, Dunbar, Earl of, 166
March, Earl of, 65, 458, 610, 623
Marchmont, Earl of, 503, 588, 595
Marchmont, Home, Earl of, 173
Marjoribanks, Miss, 56
Marjoribanks of Marjoribanks, 594
Marischal, Earl, 47, 209, 216, 299, 256, 269, 275, 333, 354, 365, 369, 404, 470, 474, 499, 564, 637, 639, 646
Marischal, Keith, Earl, 184
Marischal, Master of, 642
Markham, Archbishop of York, 549
Marr, Earl of, 43, 87, 100, 163, 187, 194, 219, 226, 252, 255, 295, 386, 555, 362, 369, 376, 431, 483, 537, 566 571, 639
Marr, Earl of Marr, 198
Marr, Erskine, Earl of, 206
Mart, Master of, 239, 634
Marroles, Antoinette de, 578
Marshall of Berry House, 52
Marshall, Janet, 346
Marsham, Rev. Thomas Cope, 74
Martin, Clermont, 513
Maule of Balmakellie, 621
Maule of Boath, 552, 512
Maule, Dean of Cloyne, 353
Maule, Earl of Panmure, 350
Maule of Foulis, 350
Maule of Kelly, 637
Maule, Miss, 522
Maule of Panmure, 238, 632
Maulet, Lord of, 578
Maxwell, ——, Esq. 387
Maxwell, Agnes, 68
Maxwell of Barncleugh, 320
Maxwell of Cacrlaverock, 94, 377
Maxwell of Calderwood, 32, 579
Maxwell of Dalswinton, 388
Maxwell, Earl of Nithsdale, 311
Maxwell of Kelton, 28
Maxwell, Lord, 270, 320, 377
Maxwell of Milton, 61
Maxwell of Monreith, 75
Maxwell of Munshes, 319
Maxwell of Newlaw, 29
Maxwell of Nithsdale, 115
Maxwell of Orchardtoun, 60, 61
Maxwell of Pollock, 147, 313, 642
Maxwell of Preston, 215, 586
Maxwell of Springkell, 29, 387

Maxwell of Stainly, 165
Maxwell of Tealing, 650
Maxwell of Terraughty, 29
Maxwell of Terregles, 297
Maxwell, younger of Terraughty, 387
Meath, Bishop of, 260, 536
Mearns, Roland de, 312
Meldrum of Leathers, 336
Melford, Captain Henry, 307
Melford, Count, 484
Melfort, Earl of, 70, 366, 552
MELFORT, DRUMMOND, EARL OF, 220
MELGUM, GORDON, VISCOUNT OF, 222
Mellish of Ragnal, 497
Melville, Earl of, 116
MELVILLE, LESLIE, EARL OF LEVEN AND MELVILLE, 110
Melville, Lord of Raith, 17, 430
Melville of Melville, 417
Melville of Monymail, 122, 134
Melville of Raith, 287, 341, 419
Melville, Viscount, 554
Menteth of Carse, 124, 210, 540
Menteth, Earl of, 57, 81, 194, 201, 358, 378, 577, 644
MENTETH, EARL OF MENTETH, 223
MENTETH, GRAHAM, EARL OF, 227
Menteth, James, 286
Menteth, Janet, 68
Menteth of Rusky, 65, 86, 87, 285
Menteth, Sir John, 200, 208, 374, 558
Menzies of Castlehill, 378
Menzies, Catherine, 474
Menzies of Coulterallers, 646
Menzies of Findon, 474
Menzies of Menzies, 595
Menzies of Pitfoddles, 368, 495, 581
Menzies, Robert, 595
Menzies of Stenhouse, 386
Menzies of Weem, 431
Mercer of Aldie, 280, 352, 402
Mercer of Clevedge, 398, 463
Methven, Lord, 327, 430, 576
MATHVEN, STEWART, LORD, 229
Meynell of Bradley, 4
Middlemore, ——, Esq. 387
Middleton, Earl of, 275, 364, 566
MIDDLETON, EARL OF MIDDLETON, 230
Middleton, George, 534
Middleton, William, 308
Mill of Fearn, 57
Miller of Dalswinton, 220
Miller of Hertingfordbury, 453
Miller, Miss Sibylla, 402
Milner of Nunappleton, 547, 559
Minto, Lord, 516, 526
Mitchell of Thainstoun, 476
Moir of Scotstoun, 476
Moira, Earl of, 154
Molyneux of Preston, 523
Moncoffer, Laird of, 368
Moncrieffe of Moncrieffe, 73, 147, 334, 388, 463, 542
Moncur of Balumby, 46
Moncur of Moncur, 41
Monfode, Agnes, 263
Moninusk of Moninusk, 412
Monmouth, Earl of, 292
Monro, Alexander, 553
Monro of Clynes, 392
Monro of Culcairn, 393
Monro, Dr Alexander, 14
Monro of Foulis, 393, 480
Monson of South Carlton, 311
Monson, Viscount, 258
Montague, Viscount, 57, 310
Montefex, Sir William de, 359
Montgomery of Ardrossan, 31
Montgomery of Coilsfield, 166, 405
Montgomery of Eglisham, 314
Montgomery of Giffen, 27, 35, 100, 117, 146
Montgomery of Haslehead, 38, 493, 494
Montgomery of Lainshaw, 34, 165
Montgomery, Lord, 32, 95
Montgomery, Marjory, 507
Montgomery, Philip de, 167
Montgomery of Skelmorly, 378, 494
Montgomery of Stanhope, 490
Montgomery, Viscount of Airds, 636
Montrose, Duke of, 323, 361, 492
Montrose, Earl of, 96, 191, 211, 294, 361, 362, 398, 540, 551, 635
MONTROSE, GRAHAM, DUKE OF, 233
Montrose, Marquis of, 128, 275, 294, 432, 449, 515, 551
Montrose, Master of, 211, 634
MONYPENNY, LORD MONYPENNY, 247
Monypenny, Thomas, 189
Moodie, Captain Jacob, 522
Moore of Garvey, 528
Moravia, John de, 201
Moray of Abercairny, 19, 238, 239, 334, 400, 412, 430, 552
Moray of Bothwell, 640
Moray, Countess of, 266, 503
Moray of Cubin, 571
Moray of Drumsargard, 557, 559
MORAY, DUNBAR, EARL OF, 252
Moray, Earl of, 72, 156, 170, 192, 412, 466, 470, 542, 573, 579, 584, 621, 628
Moray, Gilbert, 571
Moray of Ogilvy, 238
MORAY, RANDOLPH, EARL OF, 249
Moray, Rev. John, 430
MORAY, STEWART, EARL OF, 254, 255
Moreville, Richard de, 500
Morrison of Bognie, 459
Morrison of Dairsie, 35
Morrison of Prestongrange, 35, 175, 353, 584
Mortimer of Craigievar, 115
Mortimer, Roger, 350
Mortimer, Sir Roger de, 226
Morton, Earl of, 13, 47, 125, 191, 194, 195, 209, 232, 244, 317, 334, 429, 449, 564, 621
MORTON, DOUGLAS, EARL OF, 264
Morton, Master of, 518
Morton Pleydell of Milborn St Andrew, 262
Morvile, Sir Ingram, 307
Mostyn of Mostyn, 115
Moubray of Barnbougle, 18, 228, 289, 314
Moubray of Cockairny, 259
Mowat of Stanhouse, 506
Mudie of Ardbikie, 323
Muir of Cassencarrie, 61
Muir of Rowallan, 146, 158
Muirhead of Breadiesholm, 551
Muirhead of Culreoch, 25
Muirhead of Linbouse, 276
Munro, ——, 390
Munro, Col. Andrew, 158
Mure, Elisabeth, 59
Murray, Anna, 607
Murray of Arngosk, 419, 541
Murray of Arngosk and Balvaird, 542
Murray of Auchtertyre, 46, 159
Murray of Balmanno, 608
Murray of Blackbarony, 137, 194, 298, 353
Murray, Bishop of, 362
Murray of Clermont, 537
Murray of Cockpool, 378, 508, 543
Murray of Cowbine, 41
Murray of Cringalty, 613
Murray of Deuchar, 509
Murray of Drumcairn, 260, 541
MURRAY, EARL OF TULLIBARDINE, 601
Murray of Henderland, 547
Murray, Hon. Leveson Granville Keith, 523
Murray of Letterbanathy, 542
Murray, Lord, 501
Murray, Lord of Doually, 399
Murray, Margaret, 63, 473
Murray of Melgund, 525
Murray of Murrayfield, 613
Murray of Ochtertyre, 542
Murray of Philipshaugh, 488
Murray of Polmaise, 44, 593
Murray, Sir Richard, 453
Murray, Sir William, 250
Murray of Skirling, 353
Murray of Stanhope, 139, 181, 635
Murray of Touchadam, 210
Murray of Touchadam and Polmaise, 543
Murray of Tullibardine, 86, 87, 212, 239, 360, 539, 643
MURRAY, VISCOUNT OF STORMONT, 539
Muschet, younger of Torrie, 536
Musco Campo, Marjory de, 559
Musgrave of Cumcatch, 374
Musgrave of Hayton, 374
Myrton of Gogar, 533

Nairn, Lord, 56, 339, 554
NAIRN, LORD NAIRN, 279
Nairn of Muckersy, 56
Nairne, Major David, 554
Nairne, Miss, 57
Napier, Lord, 106, 217, 240, 422
NAPIER, LORD NAPIER, 281
Napier of Merchistoun, 86, 87, 112, 225
Napier, Mistress of, 299
Naughton, Laird of, 122
Nevile of Amber, 2
NEWARK, LESLIE, LORD, 304
Newburgh, Earl of, 103
NEWBURGH, LIVINGSTONE, EARL OF, 308
Newcastle, Duke of, 103, 311
Newhall, Laird of, 430
NEWHAVEN, CHEYNE, VISCOUNT OF, 310
Newton of Newton, 179, 606
Newton, Rev. Thomas, 388
Nicolson, Dr John, 2
Nicolson of Carnock, 36, 48, 127, 296, 388
Nicolson of Kemnay, 141
Nicolson of West Rainton, 568
Nielson of Craigcaffee, 300
Nimmeguen, Mackteillina Walrave de, 390
Nimmo, James, 182
Nisbet of Carfin, 259
Nisbet of Dirleton, 119, 299, 464, 613
Nisbet of Nisbet, 175
Nithsdale, Earl of, 27, 600
NITHSDALE, MAXWELL, EARL OF, 311
Noel, Hon. John, 2
Noel of Walcot, 372
Norcliffe of Langton, 456
Normandy, Duchess of, 649
Northampton, Earl of, 554
Norreys of Rycote, 18
NORTHESK, CARNEGIE, EARL OF, 322
Northesk, Earl of, 118, 245, 354, 518, 622
Northumberland, Earl of, 46
Northumberland, Prince of, 166
Norton, John, 370
Norvell of Boghall, 56, 57
Nottingham, Earl of, 258

Ochiltree, Lord, 445
Ochiltree, Master of, 135, 230

Ochiltree, Stewart, Lord, 326
Ogilvy of Airly, 194, 238, 289
Ogilvy of Auchiries, 370
Ogilvy of Auchterhouse, 332
Ogilvy of Balbegno, 231
Ogilvy of Boyne, 369, 578
Ogilvy of Deskford, 274, 469
Ogilvy of Dunlugas, 474, 644
Ogilvy of Forglen, 306
Ogilvy of Inchmartin, 41, 46, 73, 74
Ogilvy of Invercarity, 300
Ogilvy of Lintrathen, 368
Ogilvy, Lord, 14, 369, 499
Ogilvy of Milton, 335
Ogilvy of Ogilvy, 25, 362
Ogilvy of Pourie, 18, 481
Ogilvy of Rothiemay, 75
Ogilvy, Sir Patrick, 207
Ogilvy, Susanna, 518
Ogilvy, William, 106
Oglander of Nunwell, 88
Oliphant of Aberdalgy, 208, 237
Oliphant of Bachilton, 48, 483
Oliphant, Charles, 567
Oliphant of Gask, 191, 280, 281, 335, 397
Oliphant of Kellie, 334
Oliphant of Kirkhill, 353
Oliphant, Lord, 263, 551
Oliphant, Lord Oliphant, 330
Oliphant, Master of, 191, 499
Oliphant of Newton, 398
Oliphant, Sir Walter, 556
Onslow, Arthur, 308
Orkney, Earl of, 113, 122, 126, 359, 427, 574
Orkney, Hamilton, Earl of, 342
Orkney, Hepburn, Duke of, 340
Orkney, Sinclair, Earl of, 336
Orkney, Stewart, Earl of, 340
Orkney and Caithness, Earl of, 498, 558
Ormond, Douglas, Earl of, 344
Ormond, Duke of, 102, 567
Ormond, Stewart, Marquis of, 345
Orrery, Earl of, 343
Otterburn of Redhall, 620
Oughton, Sir James Adolphus, 525
Oxenford, Viscount of 38, 421
Oxford, Earl of, 49, 52, 137, 227, 553
Oxford, Viscount of, 128
Oxford, Viscountess of, 72, 347
Oxford and Salisbury, Bishop of, 49

Packington of Westwood, 18, 116
Palatine, Elector, 141
Panmure, Earl of, 128, 216, 217, 322, 566, 621, 637
Panmure, Maule, Earl of, 350
Panmure, Valognis, Lord of, 348
Paterson of Bannockburn, 217
Paterson, Bishop of Ross, 484
Paterson of Eccles, 183
Paterson of Prestonhall, 502
Payler, Watkinson, 2
Payne of Stubbington House, 388
Pelham, Lord of Stanmer, 435
Pemberton, Milnes of Wakefield, 51
Pepys, Dr, 435
Perkins of Sutton Coldfield, 220
Perth, Earl of, 195, 233, 366, 448, 553, 582, 602, 636, 646
Perth, Drummond, Earl of, 357
Peterborough, Countess of, 375
Peters, Captain, 553
Phillips, ——, 537
Philp of Greenlaw, 14
Philp, Miss Anne, 523
Pitcairn, Barbara, 542
Pitcairn, Dr Archibald, 19
Pitcaple, Laird of, 368
Pitsligo, Lord, 194

Pitsligo, Forbes, Lord Forbes of, 367
Pittenweem, Stewart, Lord of, 370
Pollock of Balachie, 552
Pollock, Capt. Robert, 301
Pollock of Pollock, 314, 494
Polysworth, Adam de, 659
Porte, Jean, Elisabeth de la, 221
Porteous of Hacksbaw, 298
Porterfield of Fullwood, 421
Porterfield of Porterfield, 36
Portland, Duchess of, 262
Portland, Earl of, 102
Portman of Orchard Portman, 137
Portmore, Colyear, Earl of, 371
Portmore, Earl of, 434
Portsmouth, Duchess of, 104
Powle, Thomas, 311
Powys, Marquis of, 321, 483
Preston of Airdrie, 322
Preston of Craigmiller, 44
Preston, Graham, Viscount of, 374
Preston, Margaret, 285
Preston of Pennycuick, 279
Preston of Valleyfield, 495
Prettyjohn, Miss, 74
Price of Becket, 569
Price of Saintfield, 485
Primrose of Carrington, 298, 495
Primrose of Dalmeny, 194, 516, 595
Primrose of Dunipace, 408, 637
Primrose, Earl of Rosebery, 401
Primrose, James, 595
Primrose, Sir Archibald, 607
Primrose, Viscount of, 149, 532
Prince, Miss Elisabeth, 307
Pringle of Galashiels, 655
Pringle, Mariota, 441
Pringle of Pringle, 177
Pringle, Robert, 595
Pringle of St Christophers, 526
Proby, Baptist, D. D. 486
Puchlor, Countess of, 393
Purdie, Miss Marion, 401
Pyerres, Mary, 644

Quarrell, Richard, 388
Queensberry, Douglas, Marquis of, 376
Queensberry, Duke of, 623
Queensberry, Earl of, 60, 131, 386, 590, 599
Quhytlaw, Margaret, 443

Radcliffe, Lord, 308
Radnor, Earl of, 216, 277, 410
Rae of Coldoch, 191
Rae, John, 320
Ramsay of Balmain, 513
Ramsay of Bamff, 477
Ramsay of Barnton, 324
Ramsay of Brackmont, 620
Ramsay of Cullithy, 284
Ramsay of Dalhousie, 115, 125, 273
Ramsay, Elisabeth, 513
Ramsay of Kinkell, 547
Ramsay, Lord, 38, 355
Ramsay of Panbride, 352
Ramsay, Walter de, 616
Ramsden, of Byrom, 4
Randall, William, 409
Randolph, Earl of Moray, 249
Rannie, James, 525
Ranson, Griffin, 49
Rattray of Craighall, 551
Rattray of Rattray, 463
Ravenscroft of Wickham, 600
Reay, Lord, 393, 395, 481
Reay, Mackay, Lord, 389
Reeve of Hendens, 122
Reid, ——, 522
Reid, Baron, 463

Reid, Gabriel, 393
Reid, Miss, 21
Renton of Billy, 116
Rich, Lady Essex, 451
Rich, Lord, 2
Richardson of Castlehill, 328
Richardson of Smeaton, 131, 138, 346
Richie, Janet, 13
Richmond and Lennox, Duke of. 142, 301
Rickets of Longwood, 325
Riddell of Hayning, 386
Ridley, Nicholas Colburne, 545
Ridley, Sir Mathew White, 546
Rie, Lord of, 348
Rigg of Morton and Gamelshiels, 584
Rind of Broxmouth, 563
Ritchie, James, 159
Rivers, Earl John, 372
Roberts, Rev. Mr, 523
Roberts, Major-General, 523
Robertson of Drumaquhain, 280
Robertson, John, 320
Robertson of Lude, 88, 280, 559, 555
Robertson of Strowan, 552, 562
Robinson, Colonel, 328
Robinson of Farmingwood, 623
Rochead of Inverleith, 394, 525
Rochester, Earl of, 510
Rochfort, George, 178
Rogers of Brianstone, 103
Rollo of Ballachie, 397
Rollo, Hon. Henry, 464
Rollo, Lord, 240, 399, 464, 551
Rollo, Lord Rollo, 396
Rollo of Powhouse, 217, 398
Rollo of Woodside, 398
Rolt of Sacombepark, 510
Roper of Hermitage, 510
Roper of Muffets, 49, 55
Rose of Kilravock, 55
Rosebery, Earl of, 405, 495, 516, 607
Rosebery, Primrose, Earl of, 401
Ross of Balkail, 525
Ross of Balnagowan, 157, 158, 259, 302, 480, 481, 501, 580
Ross of Balnie, 346, 522
Ross, Captain James, 501
Ross, Countess of, 473
Ross of Craigie, 148, 563
Ross, David, 395
Ross, Earl of, 8, 124, 165, 207, 296, 473, 480, 558, 559, 574
Ross of Galston, 149, 345
Ross of Haining, 370
Ross of Halkhead. 96, 110
Ross, Lord, 36, 113, 140, 299, 347, 493, 494, 594, 610, 635
Ross, Lord of Halkherd, 456, 589
Ross, Lord Ross, 417
Ross, Master of, 635
Ross, Stewart, Duke of, 416
Rothe, Compte de, 233
Rotheram of Muchwaltham, 510
Rothes, Countess of, 75, 373
Rothes, Duke of, 116, 244
Rothes, Earl of, 113, 116, 130, 189, 216, 230, 274, 362, 373, 498, 499, 563, 610, 621, 622
Rothes, Leslie, Earl of, 420
Rothes, Master of, 340, 362
Rothsay, Duke of, 436
Rothsay, Duke of, 172, 359
Row, Margaret, 296
Row, Miss, 21
Roxburghe, Duke of, 378
Roxburgh, Earl of, 68, 244, 275, 362, 363, 449, 515, 610, 637
Roxburghe, Ker, Duke of, 439
Roy of Nenthorn, 75
Ruglen, Hamilton, Earl of, 457

Rule of Balmerino, 466
Rushworth of Farringfordhill, 526
Russel, Sir John, 228
Rutherford, Earl of Teviot, 589
Rutherford of Edgerstoun, 118
Rutherford of Edzarstoun, 443, 503
Rutherford of Handallie, 135
Rutherford of Handeley, 327
Rutherford of Hunthill, 38, 462
Rutherford, Lord Rutherford, 458
Rutherford, Major Walter, 538
Rutherford, Margaret, 441
Rutherford, Philip, 597
Rutherford of Quarryholes, 458
Rutherford of Rutherford, 444, 597
Ruthven of Dunglass, 116
Ruthven, Lord, 119, 120, 229, 230, 362, 389, 419, 430, 576, 620
Ruthven, Lord Ruthven, 463
Ruthven of Redeastle, 464
Ruthven of Ruthven, 360
Ruthven, Sir Walter de, 556
Ruthven, Walter de, 350
Rutland, Duke of, 245, 307, 587

Saint Colme, Stewart, Lord of, 466
Salisbury, Earl of, 47
Salton, Abernethy, Lord Abernethy of, 466
Salton, Fraser, Lord, 471
Salton, Lord, 192, 565
Salton, Master of, 18, 138
Sandilands, Alexander, 596
Sandilands of Calder, 419, 441, 505, 562, 638
Sandilands of Cruvie, 333
Sandilands, Lord Torphichen, 590
Sanford of Minchhead, 307
Sandys of Graithwaithwaite-hall, 523
Sawer, Anthony, 384, 458
Scarborough, Earl of, 343
Schomberg, Duke of, 548
Schomberg, Mademoiselle, 548
Schomberg and Leinster, Duke of, 141
Scotland, King of, 8, 32, 96, 97, 188, 200, 201, 207, 209, 211, 227, 236, 237, 250, 252, 254, 255, 267, 269, 270, 272, 273, 345, 349, 359, 361, 362, 372, 374, 412, 414, 428, 436, 472, 559, 562, 572, 577, 591, 604, 618, 629, 634, 639
Scotland, Marischal of, 209, 226
Scotland, Queen of, 97, 98, 229, 340
Scotland, Steward of, 8, 168, 207, 264, 267, 359, 413, 479
Scot of Comistoun, 516
Scot, Earl of Takras, 588
Scot of Scotstarvet, 322, 543, 579
Scott of Allanhaugh, 298
Scott of Balcomie, 262
Scott of Balweary, 111, 113
Scott of Belford, 613
Scott of Benholm, 516
Scott of Branxholm, 377, 444, 655
Scott of Buccleuch, 419, 446
Scott, Eaton, Robert, 476
Scott of Gamelscleugh, 298
Scott of Harden, 19, 35, 183, 299
Scott of Highchester, 366
Scott of Howpawly, 297
Scott, Lord of Buccleuch, 419, 446
Scott of Malleny, 613
Scott of Roberton, 297
Scott of Thirlestane, 138, 297, 405, 423, 607
Scott of Wimpfen, 24
Scrimgeour of Birkhill, 75
Scrimgeour of Dudhope, 65, 332, 513, 563, 592
Scrymgeour of Glaster, 125
Seafield, Grant, Earl of, 478
Seaforth, Earl of, 30, 166, 217, 392, 409, 488
Seaforth, Mackenzie, Earl of, 479
Seaman, Miss, 509
Sedley of Southfleet, 372
Selkirk, Douglas, Earl of, 487
Selkirk, Earl of, 485
Selkirk and Ruglen, Earl of, 384
Sempill, Lord, 263, 405, 419, 647
Sempill, Lord Sempill, 492
Semple of Beltrees, 125
Semple of Eliotstoun, 96
Senhouse of Netherhall, 374
Seton of Barns, 481
Seton of Culbeg, 608
Seton, Earl of Wintoun, 638
Seton of Kilcroich, 353
Seton, Lord, 66, 172, 228, 508, 577, 600, 605, 654
Seton, Master of, 164
Seton of Meldrum, 475, 574
Seton, Secher de, 186
Seton of Seton, 94, 171, 189, 200, 315, 426
Seton of Touch, 209, 211, 217, 287
Seton of Tullibody, 287
Seton, Viscount of Kingston, 39
Shairp of Houstoun, 19
Sharp of Scotscraig, 21
Sharp, Sir James, 366
Sharpe of Hoddam, 220
Shaw of Greenock, 524
Shaw of Satchie, 176, 177
Shepherd of Lincoln's Inn, 409
Shepherd, Miss, 4
Sherard, Lord, 2
Shultze of Sunning Hill, 546
Sibbald of Balgony, 273
Sighterman, Miss Christina Elizabeth, 57
Simpson of Bradley, 568
Sinclair of Brimnes, 391
Sinclair of Dunbeath, 158, 576
Sinclair, Earl of Orkney, 336
Sinclair, Elisabeth, 500
Sinclair of Farse, 393
Sinclair of Herdmanstoun, 174, 176, 181 337, 346, 641
Sinclair, Isabel, 575
Sinclair of Longformacus, 430, 537
Sinclair, Lord, 191, 215, 333, 426, 500, 619, 621, 623
Sinclair, Lord Sinclair, 498
Sinclair, Master of, 430, 515
Sinclair of Mey, 122, 483
Sinclair, Morabella, 519
Sinclair of Murchil, 341
Sinclair of Murkle, 391
Sinclair of Northrig, 643
Sinclair of Roslin, 336, 495, 559
Sinclair, Sir John, 522
Sinclair, Sir William, 557
Sinclair of Stevenston, 35, 609
Sinclair, of Ulbster, 16, 293, 584
Sinclair, younger of Freswick, 522
Shipworth of St Albans, 311
Shives, Laird of, 368
Slingsby of Redhouse, 2
Smith of Braco, 194
Smith, Humphry, 18
Smith, Sir Robert, 307
Smith of Sydling St Nicholas, 455
Somerset, Earl of, 178
Somerville, ——, 508
Somerville, Agnes, 422, 633
Somerville of Cambusnethan, 34, 96, 238, 429, 508
Somerville of Carnwath, 92, 131, 264, 297, 338
Somerville, Hugh, 525
Somerville, Lord, 66, 594, 644
Somerville, Lord Somerville, 504
Somerville, Master of, 377
Somerville of Plain, 508
Southampton, Earl of, 589
Southesk, Carnegy, Earl of, 512
Southesk, Earl of, 72, 243, 448, 501, 542, 549, 599
Sparrow of Bishton, 15
Spence, Francis Ingram, 523
Spencer, Lord, 589
Spencer, Viscount of Teviot, 589
Spencer of Yarnton, 589
Spittal of Leuchat, 121
Spreule, Ionet, 493
Sprott of Wigton, 538
Spynie, Lindsay, Lord, 517
Spynie, Lord, 274, 519, 565
Spynie, Master of, 522
St Albans, Duke of, 558
St Andrews, Archbishop of, 564
St Andrews, Bishop of, 618
St Asaph, Bishop of, 49
St Clair of Dysart, 526, 609
St Clair of Herdmandstone, 526
St Clair, Sir William, 616
St Clair, younger of Herdmandstoun, 500, 503
St David's, Bishop of, 52
St Hermione, Magdalene Sylvia de, 221
St Quintin, Seigneur de, 95
St Vincent, Earl of, 225
Stafford, Marquis of, 14, 587
Stair, Dalrymple, Earl of, 519
Stair, Earl of, 149, 150, 405, 406
Stamford and Warrington, Earl of, 626
Stanhope of Grimston, 354
Stanley of Hooton, 321
Stapleton, Robert, 2
Stapleton of Wighill, 2
Steele, Right Hon, Thomas, 546
Stephen, Provost, 436
Stevens of Ierth Amboy, 538
Stewart of Allanbank, 523
Stewart, Anne, 621
Stewart of Argaty, 217
Stewart of Aubigny, 95
Stewart of Ballado, 22
Stewart of Bonkil, 200, 251, 252
Stewart of Ballechin, 115
Stewart of Blackhall, 119, 164, 387
Stewart of Blairhall, 469
Stewart of Burray, 122, 259
Stewart, Captain Dougal, 485
Stewart, of Castlemilk, 163, 495, 635
Stewart of Castle Stewart, 29, 484
Stewart of Coltness, 524
Stewart of Derneley, 85, 186, 315, 506, 642
Stewart, Dominæ Jeaume, 597
Stewart of Donally, 359
Stewart, Duke of Lennox, 90
Stewart, Duke of Ross, 416
Stewart of Durrisdeer, 214, 376
Stewart, Earl of Moray, 254, 255
Stewart, Earl of Orkney, 340
Stewart, Earl of Strathern, 559,
Stewart, Earl of Traquair, 597
Stewart, Elisabeth, 25
Stewart, Francis, 363, 646
Stewart of Gairlies, 24, 28, 315, 578
Stewart of Glanderstoun, 493
Stewart of Goodtrees, 224
Stewart of Grandtully, 306, 346, 482, 553
Stewart, Hon. Edward Richard, 626
Stewart, Hugh, 523
Stewart, James, 353
Stewart, Janet, 125
Stewart, Jean, 386

Stewart of Innermeath, 332
Stewart of Innerwytie, 122, 547, 553
Stewart, John, 599
Stewart of Kilcowie, 125
Stewart of Lovenax, 209
Stewart, Lord Methven, 229
Stewart, Lord Ochiltree, 226, 329
Stewart, Lord Pittenweem, 370
Stewart, Lord St Colme, 466
Stewart of Maine, 237
Stewart, Marquis of Ormond, 345
Stewart of Minto, 508
Stewart of Ralston, 236, 272, 485
Stewart of Rosyth, 210, 273
Stewart, Sir John, 492
Stewart of Stewartfield, 139
Stewart of Traquair, 327, 458, 462, 605
Stewart, younger of Castlemilk, 635
Stirling, Alexander, Earl of, 535
Stirling, Catherine, 210
Stirling of Craigbernard, 469
Stirling, Earl of, 210, 595
Stirling of Glorat, 215, 645
Stirling of Herbertshire, 215
Stirling of Keir, 72, 127, 147, 175, 291, 294, 419, 493, 608, 632
Stirling of Kippendavie, 596
Stoddart, Mr, 115
Stoney of Coldpig Hill, 568
Stormont, Murray, Viscount of, 539
Stormont, Viscount of, 48, 54, 260, 515, 540, 621
Stormont, Viscountess of, 595
Storry, Richard, 636
Strachan of Carnyle, 55, 351 353, 513
Strachan, Margaret, 562
Strachan, Miss, 538
Strachan of Tarrie, 516
Strachan of Thornton, 231
Strange, James, 554
Strange, Thomas Andrew, 19
Strathallan, Drummond, Viscount of, and Lord Maderty, 550
Strathallan, Viscount of, 48, 88, 280, 562, 566, 413
Strathern Caithness and Orkney, Earl of, 413
Strathern, Countess of 234
Strathern, Earl of, 556
Strathern, Earl of, 225, 235, 336, 337, 374
Strathern, Stewart, Earl of, 559
Strathmore and Kinghorn, Earl of, 42, 232, 354
Strathmore and Kinghorn, Lyon, Earl of, 561
Stuart of Dunearn, 122
Stuart of Torrance, 183
Stutevill, Robert de, 349, 350
Suffolk, Earl of, 103, 134, 308, 327
Suffolk and Berkshire, Earl of, 374
Surry and Strathern, Countess of, 559
Suttie of Balgone, 525
Sutherland, Alexander, 390, 414
Sutherland, Countess of, 390, 503
Sutherland of Dilred, 390
Sutherland of Duffus, 391
Sutherland of Dunbeath, 339
Sutherland, Earl of, 8, 10, 73, 97, 158, 200, 228, 233, 234, 260, 363, 391, 622, 623, 624, 644
Sutherland, Earl of Sutherland, 570
Sutherland of Erie, 395
Sutherland, John, 253
Sutherland, Master of, 229
Sutherland of Pronsy, 394
Sutherland of Uppatt, 393
Swindell, Captain, 57
Swinton of Swinton, 174, 191, 201 324, 606
Syme of Barncailzie, 320
Symers of Balyordie, 516
Symson of Concraig, 300

Talmash of Helmingham, 72
Talmash, Sir Lionel, 584
Tarpley, Griffin Thomas, 484
Tarras, Scot, Earl of, 588
Taylor of Kirkonhill, 516
Tenant of Cairns, 509
Teviot, Livingston, Viscount of, 589
Teviot, Rutherford, Earl of, 589
Teviot, Spencer, Viscount of, 589
Thanet, Earl of, 431
Thirlestane, Lord, 634, 646
Thoits, Sir David, 579
Thomond, Earl of, 103
Thompson of Ipston, 554
Thomson of Charleton, 502, 609
Thomson of Greenwich, 392
Thomson, William, 387
Thornhill of Kingston Lisle, 569
Thornton, John, 119
Thurlow, Lord, 568
Thurlow, Thomas, 568
Tireman of Chichester, 516
Tod, Rev. John, 176
Todd, Anthony, 79
Torphichen, Lord, 182, 402, 508, 557
Torphichen, Sandilands, Lord, 390
Towers of Dalry, 591
Towers of Innerleith, 132, 174, 354, 620, 621
Townley of Townley Hall, 554
Trail of Blebo, 620
Trail, Rev. William, 625
Traquair, Earl of, 320, 321, 364, 579, 514, 647
Traquair, Stewart, Earl of, 597
Travel, Sir John, 584
Trentham, Viscount of, 587
Tullibardine, Earl of, 88, 362, 363, 364, 448, 541, 553, 565, 621
Tullibardine, Murray, Earl of, 601
Tullideph of Tullideph, 118
Turing of Foveran, 513
Turnbull of Easthampsteadpark, 538
Turner, Sir Edward, 194
Tweeddale of Unthankhall, 523
Tweeddale, Hay, Marquis of, 602
Tweeddale, Marquis of, 71, 78, 384, 422, 433, 450, 607, 609, 612, 613
Tweedie of Drummelzier, 267, 578, 441, 446, 598, 605, 606
Tyrie of Drumkilbo, 335
Tytler of Woodhouselee, 215

Valoniis, Lord of Panmure, 348
Valoniis of Panmure, 350
Vanlore, Sir Peter, 537
Vans, Sir John, 28
Vaus, Margaret de, 163
Vere, Lord, 601
Vere, Sir Francis, 601
Villiers, Sir Edward, 575, 343
Vincent of Stoke D'Abernon, 409

Urquhart of Cromarty, 459, 480
Urquhart of Meldrum, 364

Wagstaffe, William, 49
Waldrum, Mary, 354
Walker of Dalry, 613
Walker of Edringtonhall, 220
Walker of Innerdovat, 118
Wallace, Alexander, 217
Wallace, Archibald, 259
Wallace of Cairnhill, 220
Wallace of Craigie, 146, 221, 272, 317
Wallace of Elderslie, 594
Wallace, Margaret, 164
Wallace, Sir William, 144
Wallace of Sundrum, 591
Wans, Maria de, 505
Ward of Bixley, 409
Warderoba, John de, 81
Wardlaw, Janet, 619
Wardlaw, Janet de, 618
Wardlaw, Margaret, 65
Wardlaw of Pitreavie, 537
Warren, Earl of, 558
Warrender of Lochend, 299
Warwick, Earl of, 510, 549
Warwick and Holland, Earl of, 2, 46
Watherston of Maudurstone, 77
Watson, Miss Jane, 400
Watson of Muirhouse, 593
Watson of Saughton, 324
Wauchope of Niddry, 181, 228, 378
Wauchope of Niddry Marischel, 593
Wans of Meny, 513
Wawane of Segy, 239
Wawane of Stevenstoun, 239
Weaver, William, 253
Webb, Elisabeth, 311
Webb of Odstock, 310
Webb, William, 454
Webster, Major John, 139
Wedderburn of Balindean, 491
Wedderburn of Chesterhall, 216
Weir of Blackwood, 506, 600
Wells, Miss Susan, 554
Wemyss and March, Wemyss, Earl of, 615
Wemyss of Caskyberry, 622
Wemyss, Catherine, 620
Wemyss of Cuttlehill, 524
Wemyss, Countess of, 117, 118, 323, 619
Wemyss, Earl of, 116, 117, 251, 325, 354, 380, 431, 469, 500, 503, 522, 541, 582, 585, 595, 636
Wemyss, Earl of Wemyss and March, 615
Wemyss, Euphemia, 513
Wemyss, James, 619
Wemyss of Lenchars, 209
Wemyss of Rires, 568, 617
Wemyss of Wemyss, 88, 155, 158, 258, 272, 274, 450, 499, 514, 585, 595, 636
Wentworth of Bretton, 15
Western, Anne, 183
Weston of Sutton Place, 321
Wharton, Lord, 136, 422
Wharton of Skelton Castle, 568
Wheeler of Lyroth, 231
White, William, 568
Whitefoord of Whitefoord, 494
Whitney, Sir Robert, 310
Wickham, William, 2
Widdrington of Blankney, 375
Wiggons, Thomas, 43
Wigton, Earl of, 35, 38, 127, 147, 198, 240, 320, 355, 363, 403, 448, 449, 622
Wigton, Fleming, Earl of, 628
Wilkie of Foulden, 421
Wilkinson of Bedford Row, 568
Wilkinson, Thomas, 568
Williamson, Sir Joseph, 103
Willoughby, Baroness of Eresby, 367
Winchelsea and Nottingham, Earl of, 582, 451, 546, 549
Winterfield, Rachel, 392

Wintoun, Earl of, 69, 194, 320, 363, 495, 600
Wintoun, Seton, Earl of, 638
Wishart Bobbes Stewart of Fettercairn, 119
Witters, Mrs, 387
Wood of Bonnytoun, 322
Wood of Craig, 513
Wood, John, 2
Wood of Lamylethen, 621
Wood of Largo, 551
Woodman of Fingask, 568
Worcester, Marquis, of, 483
Wray of Glentworth, 456
Wray, Sir Cecil, 456
Wren of Binchester, 568
Wyntown, Alan de, 641

Yester, Lord, 131, 598
Yorke, Sir John, 305
Young of Leny, 402
Young, Miss, 22
Young, Mrs, 386

THE END.

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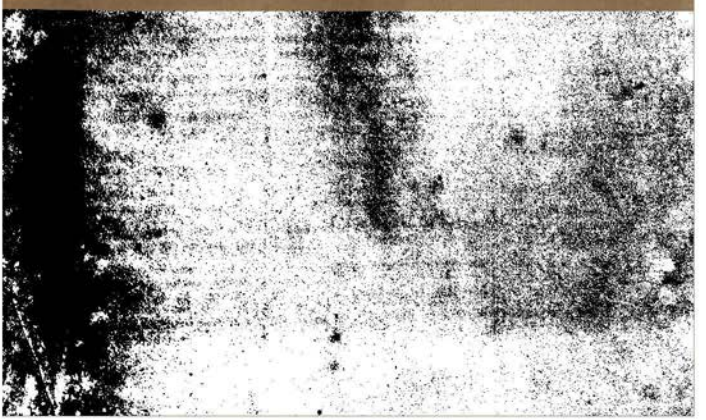

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